

**ENVIRONMENT, LAND ACQUISITION & PLANNING COMMITTEE
of the
Suffolk County Legislature**

Minutes

A meeting of the Environment, Land Acquisition & Planning Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, Veterans Memorial Highway, Smithtown, New York, **on August 20, 2002.**

MEMBERS PRESENT:

Legislator David Bishop - Chairman
Legislator Michael Caracciolo - Vice-Chair
Legislator Andrew Crecca
Legislator Ginny Fields
Legislator Jonathan Cooper

ALSO IN ATTENDANCE:

Legislator William Lindsay - District #8
Paul Sabatino - Counsel to the Legislature
Erin Cohan - Aide to Legislator Bishop
Linda Bay - Aide to Presiding Officer Tonna
Ron Cohen - Aide to Presiding Officer Tonna
Lisa Keys - Aide to Legislator Caracciolo
Nanette Essel - Aide to Legislator Fisher
Nicole DeAngelo - County Executive's Office/Intergovernmental Relations
John Ortiz - Budget Review Office
Vito Minei - Suffolk County Department of Health Services
Thomas Isles - Director/Suffolk County Planning Department
Lauretta Fischer - Suffolk County Planning Department
James Burke - Deputy Director/Division of Real Estate/Dept of Planning
Peter Scully - Commissioner/Suffolk County Parks Department
Denise Spezio - Suffolk County Parks Department
Jay Schneiderman - Supervisor/Town of East Hampton
Diana Weir - Councilwoman/Town of East Hampton
Patricia Mansir - Councilwoman/Town of East Hampton
Peter Hammerle - Councilman/Town of East Hampton
Joseph Potter - Councilman/Town of East Hampton
Sara Davidson - Community Preservation Fund/Town of East Hampton
John Turner - The Nature Conservancy
Margo Miles - Coordinator/Open Space Conservation & Senior
Environmental Analyst/Dept of Planning/Town of Huntington
Peter Curry - Farrell/Fritz Law Firm
Joy Squires - Chair/Huntington's Open Space Committee
William Walter - Chair/Huntington Beautification Council &
President/Taxpayers to Save the Paumanok Bio-Enclave
Barbara Archer - VP/Taxpayers to Save the Paumanok Bio-Enclave
Maria Manzi - Taxpayers to Save the Paumanok Bio-Enclave

Dr. Timothy Brennan - Superintendent of Schools/South Huntington
School District

Fred Schlauch - Biologist

Darlene Balducci - President/Audobon Wood Civic Association &
Member/West Hills Nature Preservation Society

Mary Padino - Resident of West Hills

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Pat Dillon - Vice-President/South Huntington School Board

Richard { Sperry} - Resident of West Hills

Gail Kourbage - Resident of West Hills

Jeanne Garant - Mayor of Port Jefferson

Robert Sisler - Port Jefferson Village Historian

Eugene Murphy - Acting Commissioner/Town of Islip Planning Department

Lynne Sole - Resident of Holbrook

Scott Miller - Resident of Holbrook

All Other Interested Parties

MINUTES TAKEN BY:

Alison Mahoney - Court Stenographer

(*THE MEETING WAS CALLED TO ORDER AT 2:38 P.M. *)

CHAIRMAN BISHOP:

Good afternoon. Welcome to the Environment, Land Acquisition & Planning Committee. Today is August 20th, 2002. Please rise for the Pledge of Allegiance to be led by Ron Cohen.

Salutation

We have a rather lengthy agenda today and obviously we have a few issues that have generated public interest as well; we'll try to manage this in an efficient and effective manner. Three issues that we'll take out of order are the Bergen Point issue because we have officials here who have to leave for other meetings; then the East Hampton issue, the Supervisor of the Town of East Hampton is here; and finally this Huntington issue. We'll do all those up front and then we'll go to the rest of the agenda after that. So let's begin with Mr. Garfinkle and Commissioner Scully.

COMMISSIONER SCULLY:

Good afternoon, Mr. Chairman.

CHAIRMAN BISHOP:

Good afternoon. As you may recall, a resolution was filed earlier in the year to take property that is currently under lease to Global Golf on Bergen Avenue in West Babylon and remove it from the lease and place the property into the Nature Preserve. That resolution has been continually tabled at the full Legislature in anticipation of an agreement with Global Golf to continue operating the Bergen Point facility past the term of their current lease. You have completed a negotiation I understand, and so now I would anticipate moving the

resolution at the next meeting of the Legislature. But since it's not a newly filed bill it wouldn't be considered in committee so I wanted to, and I did so, alert all members of the Legislators of my intention and to allow you, Commissioner, and the Department of Law to be here to discuss the terms of the new option.

COMMISSIONER SCULLY:

Thank you. As you might sumise, my involvement in the issues surrounding the nursery property at Bergen Point and the license or lease with Global Golf date back to my initial appointment in April of 2000. I came to understand that the initial term of the lease agreement with Global Golf was a ten year lease with two five year

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options that commenced in March of 1993, the first ten year period running through December 31st of this year, two five year options at the discretion of the licensee.

In 1995 there was an amendment executed adding an additional five year option period which added five years on the condition that the licensee or lessee, Global Golf, construct an 18 hole pitch and putt course, but by the time I had been appointed there was consideration instead to construct soccer fields on that nursery property and to remove it from the leased premises operated by Global Golf. As you know, Mr. Chairman, the proposal to provide a site for Long Island Junior Soccer at that location was not well received and it was ultimately determined that the remainder of the property should be placed or you would move to place the remainder of that property in the Nature Preserve.

(*Legislator Guldi entered the meeting at 2:41 P.M.*)

In conjunction with that and the fact that the soccer fields did not move forward, Long Island Junior Soccer League had approached us about the possibility of utilizing a residential structure on the nursery property as office space. That property had been under control of the lessee as well, so we undertook a negotiation to accomplish several things; to convince Global to undertake certain improvements to the golf course as an alternative to the pitch and putt course that had been contemplated on the nursery property, to make clear that the nursery property would not be available for their use moving forward, and to remove from their control the house which we, in consultation with your office, proposed to make available to Long Island Junior Soccer League as an office space, and to basically redefine the proposed additional five year period which was set forth in the 1995 amendment.

My understanding of your intention, then, is to -- is that your intention is to amend the pending or tabled resolution which simply would have dedicated the property to the Nature Preserve, to authorize

the amendment to the Global Golf agreement taking that property away and authorizing the use of the house by the Long Island Junior Soccer League.

CHAIRMAN BISHOP:

Thank you. Legislator Caracciolo.

LEG. CARACCIOLO:

Peter, what resolution are we addressing your remarks to?

COMMISSIONER SCULLY:

My understanding is that there's a draft of a resolution which may be introduced by Legislator Bishop to -- which is an amendment to a tabled resolution, the number of which I'd have to consult my agenda on; excuse me one minute, I apologize.

(*Legislator Fields entered the meeting at 2:44 P.M.*)

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LEG. CARACCIOLO:

In terms of the resolution that it seeks to amend, does the amendment relate to a different use of the property?

COMMISSIONER SCULLY:

I apologize, Legislator Caracciolo. I'm at somewhat of a disadvantage, I need -- I guess I need to defer to the Chairman with regard to the status of the pending resolution. My understanding was that there is a resolution that had been tabled for some months which would have dedicated a portion of the -- the Nature Preserve --

LEG. CARACCIOLO:

Hold on, the Chairman just informed me that I guess because of the --

CHAIRMAN BISHOP:

Filing deadline.

LEG. CARACCIOLO:

-- filing deadline which wasn't met --

CHAIRMAN BISHOP:

It's going to have to roll over to the next.

COMMISSIONER SCULLY:

Okay, very good.

LEG. CARACCIOLO:

Okay? But just quickly, Mr. Chairman, I just wanted to get a sense of this presentation, what the context of it was based on what I heard the Commissioner say. The licensee at Bergen Point had an extension of an agreement, 1995 did you say?

COMMISSIONER SCULLY:

That's correct.

LEG. CARACCILOLO:

Okay. As part of that extension agreement, he had the responsibility to construct a pitch and putt course?

COMMISSIONER SCULLY:

That's correct.

LEG. CARACCILOLO:

Okay. And then subsequent to that, when you became Parks Commissioner which was what, '99 or 2000?

COMMISSIONER SCULLY:

April, 2000.

LEG. CARACCILOLO:

2000, okay. It was your understanding that there was a preference for soccer fields.

COMMISSIONER SCULLY:

At that time my understanding is that there were active discussions about the possibility of utilizing what's commonly referred to as the

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nursery property for soccer fields instead.

LEG. CARACCILOLO:

And whose preference was that, was that the department's preference, was that the community's preference?

COMMISSIONER SCULLY:

I think that there had been discussions between the administration, the department and Long Island Junior Soccer League and I believe that Legislator Bishop also was aware. We ultimately had a community meeting in Babylon at Bergen Point in the summer of 2001 to discuss the possibility and present a plan, to get community feedback, and as a result of the response we received there --

LEG. CARACCILOLO:

Okay. I guess really where I'm going with this is there's been a long standing desire on the part of the Legislature to try to assist the Long Island Soccer League, providing them with property and/or a location for the construction by them of soccer fields. Was that the intent that was stated when you became Parks Commissioner, that they were now looking at this area and this property for that purpose?

COMMISSIONER SCULLY:

This was one of several properties that they had been discussing with

the department.

LEG. CARACCIOLO:

Okay, because as you know there are others out east. And I was unaware until just today that at about the same time that they were exploring east end possibilities, they were obviously looking at this location which is fine. So just to conclude, you said this property is in the Nature Preserve.

(*Legislators Fisher & Cooper entered the meeting at 2:48 P.M.*)

COMMISSIONER SCULLY:

The legislation which Legislator Bishop introduced during the middle of last year would have dedicated portions of the property which are not already in the Nature Preserve to the Nature Preserve, a portion of the nursery property is already in the Nature Preserve. We made him -- we made the Chairman aware at the time that those premises were really the subject of this lease agreement and we really need to consult with Global about removing that from their control and it was about that time we began discussing with Long Island Junior Soccer the possibility of their use of the residential structure at the nursery property by them as an office space and that property being under the control of Global pursuant to the lease.

LEG. CARACCIOLO:

Okay. So at this point in time, Global has been absolved of the requirement to construct a pitch and putt course?

COMMISSIONER SCULLY:

The proposed amendment would formalize or would absolve them I guess of that responsibility.

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LEG. CARACCIOLO:

But as we speak today that was still a requirement of a five year lease agreement extension which expires when?

CHAIRMAN BISHOP:

(Inaudible).

COMMISSIONER SCULLY:

Counsel reminds me that an intervening factor was the fact that a pitch and putt course had been constructed in the Town of Babylon and that was one of the reasons that the County found --

LEG. CARACCIOLO:

Not theirs but a pitch and putt course. So in other words, they didn't provide another --

COMMISSIONER SCULLY:

That's correct.

LEG. CARACCILOLO:

Okay, I want to make that clear; it was not a substitutions here on their part, they had a contractual obligation to do something which they have yet to do. And in the interim, there was a desire on other parties for them to do something else, initially a soccer field, now we are no longer considering a soccer field, we are considering providing the Long Island Junior Soccer League with a structure at Bergen Point County Park; correct?

COMMISSIONER SCULLY:

That's correct.

LEG. CARACCILOLO:

What is the size of that building, what is the fair market value and is that part of the resolution that we will be considering?

COMMISSIONER SCULLY:

I have more information than I did last time we spoke by telephone and you had asked the same question. We do have a draft agreement that had been reviewed by Long Island Junior Soccer. The compensation to the county would be their maintenance of the structure, they would assume responsibility for all utilities and we're discussing obliging them to undertake soccer clinics for us in conjunction with the Division of Sports and Recreation. But as contemplated, we don't envision any market rent for use of the property.

LEG. CARACCILOLO:

How big is the building?

COMMISSIONER SCULLY:

It's a small house, square footage I'd have to get you further information, I certainly could do that.

LEG. CARACCILOLO:

Which they would convert to just administrative offices?

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CHAIRMAN BISHOP:

(Inaudible).

LEG. CARACCILOLO:

Okay. So I guess we'll wait until we see the resolution and the terms and conditions. Thank you.

CHAIRMAN BISHOP:

Thank you. Okay, so I've been advised by Counsel that he didn't get the amendments in time, therefore it's going to have to roll over to the next cycle which is when?

MR. SABATINO:

For the committee or for the full Legislature? The full Legislature will be September 17th, the committee would be September 10th.

CHAIRMAN BISHOP:

Okay, thank you very much.

COMMISSIONER SCULLY:

Thank you.

CHAIRMAN BISHOP:

Thank you, gentlemen. All right, people who are here to speak on the East Hampton purchases, who is that? I know the Supervisor is here. They're all on the same side of the issue?

COUNCILWOMAN WEIR:

We have the whole town board here.

CHAIRMAN BISHOP:

Oh, Diana Weir, right. Please, the Honorables step forward. Councilwoman, do you want to come forward? Bring as many up as there are chairs.

SUPERVISOR SCHNEIDERMAN:

No pitch and putt today, just a little pitch, though. Because we are here again to ask for your support and you've been very kind and generous to the Town of East Hampton in the past and we're hoping that once again you will help us with our land preservation efforts. Two pieces of property, one is what we call the Duke Property, it's owned by the Duke Family. It's a 57, I believe, acre property, Three Mile Harbor has extensive shore frontage, we have a very good narrative, very detailed narrative in the packet that's being passed around. It is the largest unprotected piece on {Ackabonik} -- I'm sorry, on Three Mile Harbor and with certainly hope you will join with us in preserving this. It's a \$12 million purchase price, we're asking the County to share -- partner with us to purchase this of \$6 million each.

The second property we're asking for your help with is --

CHAIRMAN BISHOP:

Do you have the resolution numbers, by any chance?

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SUPERVISOR SCHNEIDERMAN:

I don't have the resolution numbers.

LEG. CARACCILOLO:

Here it is, 1898.

LEG. FIELDS:

How many million did you say?

SUPERVISOR SCHNEIDERMAN:
The total price is \$12 million.

LEG. FIELDS:
Twelve million.

SUPERVISOR SCHNEIDERMAN:
Twelve million dollars. The 511 Equities Property is on Fort Pond Bay in Montauk, it's beautiful, rolling cliff property. It's contiguous to 3,000 acres of property owned by the County, State and Town of East Hampton, it's really the last piece in the preservation of the Hither Hills, Hither Woods Preserve. It's also a very special piece, it's also right adjacent to a piece that the County recently bought out of the Quarter Penny fund which is literally just to the north of it; I'm not sure what you call it, we call it the Laurel Canyon Piece, it's about a hundred acres that you just purchased.

I had gone out with the Park Commissioner, Commissioner Scully, to look at this property some months ago and I think he felt that this would be a good candidate for the County to look at. We recently met with Tom Isles and discussed it there as well and I believe you have a resolution today with the hopes of taking some planning steps toward purchasing that.

I'm joined by my colleagues on the Town Board, Diana Weir, Pat Mansir, Joe Potter, I think Pete Hammerle, Pete Hammerle is at the end. We also have some representatives from The Nature Conservancy here as well and I know that they want an opportunity to speak. And also from our Community Preservation Fund, Sara Davidson. So at this point --

CHAIRMAN BISHOP:
Supervisor, before you turn it over, is this a 50/50 partnership?

SUPERVISOR SCHNEIDERMAN:
The 511, no; the Duke Property, yes. We just -- next to the 511 piece there was an another piece owned by a company called East Coast Minds, it was also a 20 acre property. The town bought that outright, in fact, we just opened the park the other day, Commissioner Scully was kind enough to come to that park opening. This is really just adjacent to it, so if you think of the two pieces together it's somewhat of a partnership. But we're hoping that the County will buy this out of the quarter percent fund.

CHAIRMAN BISHOP:
How big was your other purchase, the one you just --

SUPERVISOR SCHNEIDERMAN:

Acres or price?

CHAIRMAN BISHOP:

Both.

SUPERVISOR SCHNEIDERMAN:

The acres were just over 20 acres, maybe 21 acres, 22 acres. The price on it was \$6.7 million, but it was -- it did have an approved subdivision. It had a 50 foot rebuilt naval pier on the property and it also had been completely put back together, it had once been a sand mining operation and had been completely recontoured revegetated. I can't speak to what the price might be on this other piece of property, it does not have an approved subdivision on it, though.

CHAIRMAN BISHOP:

Okay. Before we go to questions, Mr. Turner

MR. TURNER:

For the record, my name is John Turner and I serve as Director of Conservation Programs for the two Long Island Chapters of The Nature Conservancy. I just wanted to take this opportunity to express the Conservancy's strong support for both these resolutions. I think if you reviewed the information, the package and material that's been provided to you, you will quickly see that both of these parcels have significant, ecological and environmental value.

From the Conservancy's perspective, both are very worth while and important acquisitions. They very much conform with one of our kind of over arching strategies, that being what we call a coastal lands protection strategy, trying to identify those key parcels that fringe the Peconic Estuary that have environmental value which should be brought into the public domain and both these parcels were on that list.

If you take a look at one of -- with regard particularly to the 511 Equities parcel, you will see, as the Supervisor mentioned, just how important this piece is positioned in a matrix of public parkland. It's really kind of the hole in the donut, the last remaining parcel, that if we are successful in preserving will have a sweep of parkland that will run several miles in a complex that will contain many thousands of acres for the benefit of Suffolk County residents.

The Duke Property I think speaks for itself in terms of its scenic and ecological environmental value in terms of its positioning on Three Mile Harbor, the wetlands that exist on the property. There's some rare natural communities, one called the Coastal Plane Fen that is heritage ranked element as well as a number of heritage ranked species. So from an ecological perspective, the Duke property also have significant value.

CHAIRMAN BISHOP:

How much are you putting in, The Nature Conservancy?

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MR. TURNER:

We have not put in anything to this in terms of actual dollars for the acquisition but we've participated in trying to consummate the Duke acquisition. We've worked on behalf of the town to negotiate the agreement.

CHAIRMAN BISHOP:

Now, are any of these State partnerships, is the State putting anything on these?

SUPERVISOR SCHNEIDERMAN:

Not yet on either one of them, but I have asked Assemblyman Thiele to look and also Senator LaValle.

MS. MAHONEY:

Could you use the microphone, please?

SUPERVISOR SCHNEIDERMAN:

Yes. I have asked for some help on this, I haven't gotten any positive answers. I believe that the Duke property is on the State Open Space Fund, is that what it's called?

CHAIRMAN BISHOP:

Right.

LEG. FIELDS:

No, open space list.

SUPERVISOR SCHNEIDERMAN:

Open Space List, the Duke property is, I don't know about the 511 piece.

CHAIRMAN BISHOP:

Okay.

SUPERVISOR SCHNEIDERMAN:

So it could be a potential candidate for State funding but at this point I haven't heard anything positive from the State toward contributing.

CHAIRMAN BISHOP:

We have lots of questions. Legislator Crecca I think has a question, Caracciolo and then Fields, we'll just go down the line.

LEG. CRECCA:

Just a clarification. Was it the 511 property you said that's slated for development, or was it part of the Duke Property?

SUPERVISOR SCHNEIDERMAN:

Technically they both would end up getting developed, they're both very developable properties.

LEG. CRECCA:

Oh, I thought you said one already had like a site plan, maybe I was wrong.

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SUPERVISOR SCHNEIDERMAN:

The -- yeah, that was the Navy Road piece that the town recently purchased, it's right next to the 511 piece. There had been some movement for a subdivision for the Duke Property, I don't know how far along in the process that got, maybe Joe has more answers. And there may have -- I think there's been some recent movement on the 511 piece as well.

MR. POTTER:

I'm here as one of the Town Board members, Joe Potter, I work on properties with the Town. And I also want to thank you very much over the years for everything the County has done in East Hampton, it's made a tremendous difference for us.

The Duke Property is -- immediately adjoins Boys Harbor which is the summer camp for city kids which has been there for many years and the family actually had mailed a contract out to a developer to sell the property, and thanks to The Nature Conservancy we were able at the last minute to reach an agreement with the owner. That had a 16 lot yield map approved for it a number of years ago.

LEG. CRECCA:

That was probably what you were referring to earlier when you said a subdivision map; is that correct?

MR. POTTER:

It could be, I'm not sure.

SUPERVISOR SCHNEIDERMAN:

No, I was talking about the Navy Road piece next to the 511 piece that the town acquired for 6.7 million, had an approved subdivision of 13 lots.

LEG. CRECCA:

And you're estimating the Duke Property at about 12 million you said total?

SUPERVISOR SCHNEIDERMAN:

Twelve million dollars, half would be paid by the town, yes.

MR. POTTER:

We actually have -- the town bought it for \$750,000, we bought an

option from the Duke Family to acquire the piece for \$12 million.

LEG. CRECCA:

When did you purchase that?

MR. POTTER:

The option was I would say May, April, in the Spring.

LEG. CRECCA:

And how long is the option good for?

MR. POTTER:

It's good until March of 2003.

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LEG. CRECCA:

Okay. You paid 750,000 just for that option?

MR. POTTER:

Which will be part of the purchase price. In other words, if the -- assuming that the sale is consummated, that \$750,000 will be part of the \$12 million.

LEG. CRECCA:

And what if the sale is not consummated, do you lose the \$750,000

MR. POTTER:

That would happen but we're determined one way or another to --

SUPERVISOR SCHNEIDERMAN:

We don't want to see that happen.

MR. POTTER:

The problem we had was we had a Texas developer with a contract in hand ready to take the property, so we weren't in a position to go to the owners and say, "Give us time to work something out," it needed to be done.

LEG. CRECCA:

If the County isn't a partner, have you looked to any other partners or any other sources -- you did ask that already?

SUPERVISOR SCHNEIDERMAN:

I've spoken with Senator LaValle and Assemblyman Thiele about it.

LEG. CRECCA:

I'm sorry. I did hear you say that nothing has come to fruition there.

SUPERVISOR SCHNEIDERMAN:

Right.

LEG. CRECCA:

Okay. And then finally, and I'll wrap up, on the 511 Property, could you just give me the -- do we know what reso -- oh, that's 1900. How much -- how much did you say that was? I apologize, I didn't get that.

SUPERVISOR SCHNEIDERMAN:

I'm sorry?

LEG. CRECCA:

How much do you estimate the value of the 511 Property to be?

SUPERVISOR SCHNEIDERMAN:

I'm afraid to put a number out there in this public record.

LEG. CRECCA:

That's fine.

SUPERVISOR SCHNEIDERMAN:

We have not appraised it.

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LEG. CRECCA:

I totally understand that.

CHAIRMAN BISHOP:

These are planning steps only.

LEG. CRECCA:

Right, okay. Thank you, Mr. Chairman.

SUPERVISOR SCHNEIDERMAN:

I'm afraid that that number could influence the --

LEG. CRECCA:

Absolutely.

SUPERVISOR SCHNEIDERMAN:

-- negotiations.

LEG. CRECCA:

Absolutely.

CHAIRMAN BISHOP:

Legislator Caracciolo?

SUPERVISOR SCHNEIDERMAN:

What I was trying to distinguish on the property next door which is of similar size, they are different properties in the sense that the one we bought has an approved subdivision of 13 lots, it has a 500 foot pier that was built originally by the Navy and then rebuilt by the developer, so it has some amenities that makes it more attractive for

development. Now, of course it's not a high cliff over the water, so that's the other side of it.

LEG. CARACCILOLO:

What was the purchase price on that?

SUPERVISOR SCHNEIDERMAN:

On the piece we bought, \$6.7 million.

LEG. CARACCILOLO:

How many acres, Jay?

SUPERVISOR SCHNEIDERMAN:

Twenty, 21, 22, something like that.

LEG. CARACCILOLO:

And any unique characteristics that differ from this property?

SUPERVISOR SCHNEIDERMAN:

Again, there's a 500 foot pier that goes into deep water on that property, so it was being developed as 13 large homes with 13 large boat slips; it is substantially different in that regard. It also had been heavily compromised environmentally but then put back together so the developer spent a lot of money restoring this property, bringing in a lot of fill, a lot of topsoil and then planting this property, a lot of moving of earth, contouring to get it to that point. So he

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spent, you know, I would imagine between repairing the dock and repairing the property probably close to \$2 million, so I think it factored into the price.

MR. POTTER:

Could I just add something? With respect to 511 Equities, they were at one time the largest landowner in Montauk and the County bought a significant piece for them a couple of years ago. And they have gifted also to the town over the years so they probably are very -- hopefully would be quite a cooperative seller in terms of at least to approach it with a positive attitude.

LEG. CARACCILOLO:

Okay. As you know, Supervisor, I have been somewhat of a long time critic of the Shadmore acquisition in terms of what could have been built. There the town approved preservation of 83% of the property and the taxpayers paid \$17 million for 17 acres, but we're not going to go back, we're going to go forward. But it set I think a very dangerous precedent and that -- it set a dangerous precedent in that it was the first time I saw a resolution introduced in the County Legislature that had stipulated the County's contribution up front. And if my memory serves me right, I think it indicated the County's

share would be up to \$5.2 million or thereabouts, okay? That was, in essence, telling the property owner's seller, "Well, the town's on board, the County may be coming on board and they're willing to pay up to this amount of money"; so if I were the seller, why I would I want to sell it for anything less than three times \$5.2 million?

And at the end of the day, at the end of the day -- and I will let others defend it, but from my point of view there's no defense, the public, plain and simple, got the raw end of this deal. But that said, at the end of the day The Nature Conservancy steps in to make the deal happen and paid a -- contributed I should say a million dollars, and I think the ultimate purchase price was 17.2. a year before that acquisition was consummated, the U.S. Fish and Wildlife Service had an appraisal done on the same property for I think five and a half million dollars. Obviously the property owners didn't want to sell it to them because it was well below what they would be willing to take for the property.

The point I'm making here is I find it very, very troublesome when public bodies and governmental political subdivisions telegraph to potential sellers of property what we are willing to pay, you know, what's our bottom line if you will. And in this case, and I appreciate, you know, the presentation because it's open, it's on the record. The town has indicated that they're in contract, they put down a \$750,000 good faith deposit to purchase --

SUPERVISOR SCHNEIDERMAN:
With an option to buy.

LEG. CARACCILOLO:
Option. And if it's not consummated, and clearly the town is on the hook for that three-quarters of a million dollars. I don't know if the County at the end of the day will be able to participate in this,

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but one of the questions I had is for the town, would you then be able to consummate this transaction?

SUPERVISOR SCHNEIDERMAN:
I don't know.

MR. POTTER:
I think -- I don't want to under cut our request to you for funding, but I believe the Town Board's position was the answer was yes.

LEG. CARACCILOLO:
Okay. That's the way I read, you know, the text here.

MR. POTTER:
But what that means to us is that that \$6 million which we're hoping to have for County funding will not be available for us to spend to

protect other properties in the town. It would severely --

CHAIRMAN BISHOP:
Imagine how we feel.

MR. POTTER:
It would severely put us out of business for quite a while, but --

LEG. CARACCILOLO:
And let me be fair to the town, because there's another resolution on today's agenda in the Town of Huntington that does the very same thing that I find troubling with Shadmore and in this instance -- and it, again, quantifies in black and white the County's share of X amount of dollars and the town's share of Y. And interestingly, in that case the county's share is 78% in 2002 when two years ago it was only 50%; all of a sudden the last two years we have to pick up another 28% of this deal to make it happen, and that will come up later on.

SUPERVISOR SCHNEIDERMAN:
That's not us.

CHAIRMAN BISHOP:
On the Duke Property, this is the Duke Family?

SUPERVISOR SCHNEIDERMAN:
Yes.

CHAIRMAN BISHOP:
They don't just give grants of land, you have to buy it from them?

MR. POTTER:
They're the poorer branch.

CHAIRMAN BISHOP:
It must be -- anyway, it says approved subdivision. Now, we would be buying the approved subdivision property?

MR. POTTER:
I don't know if it says that. There was a yield map approved, not a subdivision, that only establishes the number of lots, but there's no

approved subdivision as such.

CHAIRMAN BISHOP:
A yield map is what?

MR. POTTER:
In our town it demonstrates how many lots the property could obtain.

CHAIRMAN BISHOP:

There's been no approval by any agency or town board of a change of zoning or a variance of any type that enhances the value of the property?

MR. POTTER:

No, there has not.

CHAIRMAN BISHOP:

So it approves subdivision --

MR. POTTER:

The only thing I can think that could refer to was this property was approximately -- in excess of a hundred acres, and at some point several years ago they took the boys camp which has a ball field and buildings and a couple of houses and that was separated from this 57 acres. Now, that may be what that refers to, but the 57 acres --

CHAIRMAN BISHOP:

What I'm weary of is when town governments take a parcel and they allow the developer to change his development right status, they enhance his value. And then everybody comes to the County and says, "Oh County, get us out from under this situation and buy this property." That's what happened in the Brookhaven transaction.

SUPERVISOR SCHNEIDERMAN:

That has not happened.

MR. POTTER:

There was no increase in density or anything of that nature.

SUPERVISOR SCHNEIDERMAN:

I didn't know that happened.

CHAIRMAN BISHOP:

The final thing is -- I'm just speaking from my own perspective. If the County did these purchases solely, it would be more than a third of our entire fund County wide, so I doubt that's going to happen. If these transactions are going to move forward with County participation, it's going to have to be in significant partnership with other levels of government. I know you are offering that on one parcel, that one probably has a better chance than the other ones ultimately. And then we need to get the State and Federal government, other levels of government, Nature Conservancy, the NGO's involved. But these are planning step resolutions only, so it wouldn't commit us -- just so members understand, it wouldn't commit us to a final purchase. I'm sorry, Legislator Fields is next.

LEG. CARACCILO:

I yielded to the Chair. Just one more. Mr. Isles, I would like to

stick with the theme of what might be undercutting the County's own position.

CHAIRMAN BISHOP:

We're going to bring up the Real Estate Division and Planning later.

LEG. CARACCILOLO:

All right, okay.

CHAIRMAN BISHOP:

We're not going to vote on this at this moment.

LEG. CARACCILOLO:

Okay, okay.

CHAIRMAN BISHOP:

It's just an opportunity for us to -- yes, Councilwoman?

MS. DAVIDSON:

May I address the committee, please?

CHAIRMAN BISHOP:

Yes.

MS. DAVIDSON:

My name is Sara Davidson and I'm the Chair of the East Hampton Town Community Preservation Fund Committee which advises the Town Board on the purchases through the 2% Transfer Tax Fund Program that the east end towns have established. And our committee is strongly, strongly behind both of these purchases and I really, really need to point out the solid bipartisan support that the East Hampton Town Board has shown towards all of these purchases. They have worked together very effectively to negotiate the best deals they could possibly negotiate to protect the heritage of the town and ultimately the County of Suffolk. And I'd like to also thank you, the committee and the Suffolk Legislature, for all of the support you have shown the east end of Long Island in supporting its unique ecological diversity and heritage.

The fact is the Duke Property and 511 are pristine water-front parcels, and you know how little of that is left in our County. And we really need to protect these properties and the East Hampton Town Board has worked so hard to secure them and anything you can do to help spread the money further, you know, build on your solid partnership out at Hither Woods and Hither Hills with this 511 parcel. I mean, this is the last piece out there and you've done so much, we need you one more time there. And then the Duke Property, it's unique, it stands alone, it's the last big, undeveloped parcel on Three Mile Harbor and it's just -- it's an expensive piece of property and we need your help.

CHAIRMAN BISHOP:

Legislator Fields?

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LEG. FIELDS:

From what I'm able to gather, there's no change of zoning, no variance, no approved subdivisions, no site plans, just a yield map.

SUPERVISOR SCHNEIDERMAN:

That's correct.

MR. POTTER:

They have put in a subdivision application.

LEG. FIELDS:

And Supervisor, you have reached out to Senator LaValle and Assemblyman Thiele?

SUPERVISOR SCHNEIDERMAN:

I mentioned that. Also Erin {Carrotta} --

LEG. FIELDS:

And Erin {Crotti} from DEC.

SUPERVISOR SCHNEIDERMAN:

Right, DEC.

LEG. FIELDS:

She's the DEC Commissioner. You mentioned it to her or you asked her?

SUPERVISOR SCHNEIDERMAN:

I asked her if they would consider it but I haven't fully pursued this. I mean, I haven't done anything at length to pursue it on the State level. I mean, I came to the County with the hope -- I mean, I thought that this would make perfect sense for the Town and County to partner on.

LEG. FIELDS:

I think that, you know, acquiring property makes more sense than anything that we do probably in Suffolk County .

SUPERVISOR SCHNEIDERMAN:

I'm glad you feel that way.

LEG. FIELDS:

And that's why I think Legislator Fisher and I cosponsored a bill looking for bonding of more money because we knew that we were going to be running out of money, and I think that we're going to call on our Real Estate Director and our Planning Director to ask them how much money we have left. But to hear \$12 million for one parcel and no estimate and a question mark for the other and not a real, legitimate request from DEC, you know, on paper or the Senator or the

Assemblyman saying, "How about you?" I mean, it's nice to partner with the County but, you know, we're having more difficulty maybe even than you are at this point.

SUPERVISOR SCHNEIDERMAN:

I would like to clarify that the request from the County is for six million, not 12 million.

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LEG. FIELDS:

Right. But --

SUPERVISOR SCHNEIDERMAN:

The town would be putting six million of its own money.

LEG. FIELDS:

Six million for one and we don't know what for the other, it might even be 12 million alone for the other one. How many acres is the 511?

SUPERVISOR SCHNEIDERMAN:

That's about 19 acres.

CHAIRMAN BISHOP:

Nineteen and a half.

LEG. FIELDS:

And the Duke is --

MR. POTTER:

Fifty-seven.

LEG. FIELDS:

Fifty-seven. So, you know, we're going to hear a little later about another one that I think is probably going to be expensive, so I think we're going to have a lot of thinking to do today. But I appreciate --

SUPERVISOR SCHNEIDERMAN:

Can I just say, Legislator Fields, that there is a clock ticking on it, on the Duke Property and I think -- You know, I'd love to see the State come on board with this, I don't know if I think it would qualify. You know, we struggled to get money from the State in the past, we did get money on Shadmore, a significant contribution. I just don't know if the State is going to come on board if they can do it within the time line.

LEG. FIELDS:

Well --

SUPERVISOR SCHNEIDERMAN:

But I would be happy to, you know, make additional efforts to get the State involved and do a three-way partnership like we did with Shadmore.

LEG. FIELDS:

I would ask that you do that because John, John Turner and I both are on the Open Space Committee and -- are both of these properties on, John, do you know, on the open space list?

MR. TURNER:

Yes, they are.

LEG. FIELDS:

Yeah. So that's --

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MR. TURNER:

They either explicitly on or they qualify under the categories.

LEG. FIELDS:

That is the beginning. Once it's on the open space list, the next is just the request to ask if the State would put aside other properties perhaps and put this at the top of the list because perhaps it's -- you know, perhaps there's a problem with losing it. But I would feel much more comfortable if you had gone to the State and the State said, "No, we're not doing it," and we would be the bank of the last resort.

SUPERVISOR SCHNEIDERMAN:

I don't know how long it would take for the State to get back to us and say yes, it is happening or it isn't.

LEG. FIELDS:

Why don't you call --

SUPERVISOR SCHNEIDERMAN:

It could take a year.

LEG. FIELDS:

Call 444-0300, that's the Real Estate Division of DEC and I would bet you that they would at least give you some kind of information.

MR. POTTER:

Thank you.

SUPERVISOR SCHNEIDERMAN:

Well, again, we really --

CHAIRMAN BISHOP:

Later in the meeting we'll hear from our County departments and then we'll vote on the resolutions. But as I pointed out, the resolutions are planning steps only so they do not commit us to an ultimate

purchase.

SUPERVISOR SCHNEIDERMAN:

Again, we came to ask for your help. You have been generous in the past, we need you to do this. The 2% Land Transfer Fund has been great but it's not enough to preserve these critical properties.

CHAIRMAN BISHOP:

Let me ask you before I let you go, Supervisor. Is this it; I mean, are you going to be back in six months with three more?

SUPERVISOR SCHNEIDERMAN:

I don't think you've seen me here for a while on land preservation, it's been at least a year.

CHAIRMAN BISHOP:

What do you got, you know, in the pipeline there?

SUPERVISOR SCHNEIDERMAN:

I don't see any request coming for County funds that I'm aware of in the future other than these two pieces. There's -- go ahead, Joe.

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MR. POTTER:

I hope that this will be an ongoing partnership. If you'd like, rather than answer that today, perhaps we could put it -- give you an idea in a letter what we see over the next two or three years as priority parcels. I think that would be -- we would be happy to do that.

CHAIRMAN BISHOP:

Sure.

LEG. CARACCILO:

And to make the record today complete, your town has really been very progressive and aggressive in land preservation efforts and the entire board should be commended for that. I mean, CPF funds, I know they come in in large amounts in your town, just share with us how much has the town invested in its own preservation efforts; tense of millions of dollars, am I right?

SUPERVISOR SCHNEIDERMAN:

Yes.

LEG. CARACCILO:

Right, and you're all to be commended for that.

SUPERVISOR SCHNEIDERMAN:

Just in the last few years I'd say \$50 million.

LEG. CARACCILO:

Fifty million.

MR. POTTER:

This would be our CPF plus 27 million we borrowed from EFC against future revenues.

CHAIRMAN BISHOP:

We did also. Legislator Fields.

SUPERVISOR SCHNEIDERMAN:

The same thing and, you know, we applaud what you're doing to preserve land. And this is -- I'm saying we applaud what you're doing to preserve land. This really is a partnership. You know, we won't succeed on our own and I think you'll have trouble as well, we've got to work together on these things.

LEG. CARACCIOLO:

Well, the reason why I made that point was I know it carries a lot of weight with certain Legislators when the towns are willing to do their fair share and then some, and clearly East Hampton has done that.

SUPERVISOR SCHNEIDERMAN:

Thank you.

CHAIRMAN BISHOP:

Legislator Fields has one last question and then we're going to --

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LEG. FIELDS:

I know at least one other town that talked about a moratorium on building, how difficult is that to do with your board and your town?

SUPERVISOR SCHNEIDERMAN:

We have five moratoriums on building in effect right now, so there are moratoriums in effect. There's a subdivision moratorium that does effect both of these properties, but they're not going to last forever.

LEG. FIELDS:

How long are they good for?

SUPERVISOR SCHNEIDERMAN:

Well, they were put into effect while the town completes our comprehensive plan. Dr. Koppelman, who you know, has been working on our comprehensive plan and has submitted the initial plan which is still under review, but I don't expect these moratoriums to last more than, you know, a few months, maybe -- they all expire I think by March of 2003. They have been in effect for a year.

MR. POTTER:

We haven't actually done any moratoriums on building per se, only on

the planning process, which doesn't mean we shouldn't.

LEG. FIELDS:

Thank you.

CHAIRMAN BISHOP:

Okay. Thank you all for coming all the way out, you probably have a vote within a half hour or so, if I'm lucky.

Next we have the folks from Huntington on the Paumanok property. I see that there are officials from the Town of Huntington here, is Margo Miles here? Is there anybody else in an official capacity from the town with you?

MS. MILES:

The Chairperson of the Open Space Committee, Joyce

CHAIRMAN BISHOP:

Why don't you two lead this and then I'll go to the cards after that.

MS. MILES:

Actually we might prefer to wait if we could for the Planning Department report so that we can supplement the record.

CHAIRMAN BISHOP:

No, we're not going that way. Please come up at this time. The departments, the County departments come up before us when we're in the middle of voting and this is the time when we hear from the public and other towns. Do you have a statement or do you just want to do questions?

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MS. MILES:

Essentially, we just really are here today to request the support of the committee in helping us to fund this acquisition. The town board at its last meeting in August resolved to appropriate 800,000 toward this purchase.

CHAIRMAN BISHOP:

Hold on, I'm sorry. Nobody is paying attention and then everybody has questions. This is Margo Miles, this is the Director of Planning if I'm not mistaken.

MS. MILES:

No, I'm the Coordinator of Open Space Conservation and Senior Environmental Analyst in the Department of Planning for the Town of Huntington.

LEG. CARACCILO:

You are Mrs. Miles?

MS. MILES:

Yes.

LEG. CARACCIOLO:

Okay. Could you just speak a little closer to the mike? Thank you.

CHAIRMAN BISHOP:

This is also known as Camelot Village, Legislator Tonna's resolution, 1840 - (P) - Appropriating 1/4% sales tax proceeds for pay-as-you-go open space acquisition of Camelot/Paumanok Wetlands property, Town of Huntington (SCTM No. 0400-191.00-02.00-024.000) (Presiding Officer Tonna).

MS. MILES:

This is an acquisition that has been negotiated to \$3.6 million purchase. The property has a special use permit that was approved two years ago by the Zoning Board of Appeals. The State DEC has granted permits for fresh water wetlands and a speedy's permit to enable a subservice denitrification system there to support a 120 bed congregate care facility, that is why you're seeing the value that you are.

It's a property that was identified in the very first round of the Open Space Committee's recommendations to the Town of Huntington Town Board when our \$15 million open space referendum was approved, that's a referendum that allocates \$10 million for open space purchases, five million for park improvements over a ten year program. We have acquired several properties already, some of which had been partnered with the County and we have several more that we're waiting to close on right now with the County, one of them is the Fuchs acquisition, one of them is Hilaire Woods. So we have several other projects that are also ongoing where the town is bringing its money to share with the County in acquisition.

CHAIRMAN BISHOP:

Okay. Questions, we'll go to Legislator Caracciolo.

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LEG. CARACCIOLO:

Mister -- Mrs. Miles, I'm sorry. Looking at this resolution and the one that preceded it, there was a resolution, as you may or may not recall, that was submitted on behalf of this acquisition in the year 2000, are you familiar with that resolution?

MS. MILES:

Yes, I am.

LEG. CARACCIOLO:

Okay. At that time it was indicated that this would be purchased under what was then the County's Land Partnership Program. However,

it was recently brought to my attention earlier this afternoon, at that time, even though it was a land partnership acquisition which normally requires a 50/50 contribution by town and County, apparently the town's portion of that was capped at \$800,000. Here we are two years later, and this was the resolution I was referring to a few minutes ago when the members of the East Hampton Town Board were present, I'm very disturbed when I see in resolutions a dollar figure. I mean, why don't we just go tell the property owner what we're willing to pay for his property? That's not the way we should be doing business, number one. But the point I want to make is the town is still capped at \$800,000, now the County is being requested to kick in \$2.8 million for a total of \$3.6 million; it's not something I will support.

Can you tell me what the chain of title on this property has been beginning with the year 1995?

MS. MILES:

Actually I cannot clearly speak to that. But the owner's attorney is here, Peter Curry, and I'm sure he could probably address that.

LEG. CARACCILOLO:

Okay, I would appreciate if he's present if he'd come forward and answer that question; the chain of title on this property from 1995 to the present.

MR. CURRY:

I'm looking at a title report to give you that information. My name, for the record, is Peter Curry, Farrell, Fritz, 290 Broad Hollow Road, Melville, New York, 11747.

CHAIRMAN BISHOP:

Who do you represent?

MR. COHEN:

The owner.

MR. CURRY:

I'm a representative of the owner, Camelot Village in Huntington.

LEG. CARACCILOLO:

And who are the principals of Camelot Village?

MR. CURRY:

Camelot Village of Huntington is made up of Carl Paffendorf who is the owner of the majority of shares of that corporation, there are certain minority owners also.

LEG. CARACCILOLO:

Could you provide us with the names of those -- of all the owners?

MR. CURRY:

I could, it's a long list.

LEG. CARACCILOLO:

Okay. I would appreciate it if you would submit that to us.

MR. CURRY:

Sure. The property is currently owned by the Suffolk County Industrial Development Agency. It was purchased by them on December 22nd, 1999, and it was purchased from Camelot Village at Huntington, Inc. That entity bought it from West Hills Common in 1996.

LEG. CARACCILOLO:

Could you share with us the purchase prices?

MR. CURRY:

The purchase price was \$3.8 million.

LEG. CARACCILOLO:

My question related going back to 1995.

MR. CURRY:

No, I don't have that information.

LEG. CARACCILOLO:

Okay. Well, I do and I'd like to indicate on the record, Mr. Chairman, that in 1996 an entity known as CV Holdings with offices at 4 Cedar Swamp Road purchased this property for \$850,000. In 1999, CV Holdings sold the parcel to Camelot Village with offices at 4 Cedar Swamp Road -- if you noted, same address -- for \$3.8 million. And coincidentally, here we are with a request to purchase it for \$3.8 million. Coincidence? I think not.

CHAIRMAN BISHOP:

I have -- the IDA, the Suffolk County IDA purchased the land, they hold the title to the land currently?

MR. CURRY:

They do.

CHAIRMAN BISHOP:

Why is that?

MR. CURRY:

This was going to be an industrial development project, it was going to be senior housing and they bought it and issued a \$23 million bond in connection with that transaction.

Explain how the deal would work.

MR. CURRY:

Sure. The property is owned by a developer, it conveys title to that property, to the Industrial Development Agency, which leases it back to the developer for a 10 to a 30 year period depending upon the term of the economic benefits. At the same time, it issues a bond, in this case for \$23 million; in essence, that bond has to be repaid by the developer over the term of the bond to the bond purchaser.

CHAIRMAN BISHOP:

And the advantage to the developer is that you get to finance your deal at government bond rates.

MR. CURRY:

Yes. Well, it's actually a long-term rate rather than -- it wasn't that cheap of a rate, but it was a long-term rate and in connection with that he also got certain sales tax advantages and mortgage tax advantages if he ended up building on the property, which in this case he did not.

CHAIRMAN BISHOP:

And the Suffolk IDA in its wisdom entered into this arrangement because the outcome that they wanted to see was senior housing?

MR. CURRY:

That's correct. There was going to be a --

CHAIRMAN BISHOP:

What type of senior housing, is it low income senior housing or --

MR. CURRY:

It was assisted living senior housing but there was a 20% set-aside of individuals of low income, low to middle income, it's called an 80/20 type housing, and that was the advantage that the project would give to the County, aside from the fact that there was a determination that there was a shortage of assisted living facilities in Suffolk County at that time.

CHAIRMAN BISHOP:

Do you have questions?

LEG. CRECCA:

No, I don't.

CHAIRMAN BISHOP:

All right. Are there representatives from the Suffolk IDA here? Are you on the IDA?

MR. COHEN:

No.

CHAIRMAN BISHOP:

I didn't know the IDA --

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LEG. CARACCILOLO:

Dave?

CHAIRMAN BISHOP:

Mr. Cohen who is aide to Legislator Tonna who represents the area.

MR. COHEN:

Dave, I do believe, Mr. Curry, that if the County was to purchase this property it would revert to -- the IDA would not get any of the money; is that correct?

MR. CURRY:

That's correct. They're still --

MR. COHEN:

We would not be buying it back from the IDA.

CHAIRMAN BISHOP:

No, it would be transferred back to them, I'm sure.

MR. CURRY:

That's correct.

MR. COHEN:

The price is -- just so you all know, and Legislator Caracciolo, it's a good point. The price of 3.6 million was not picked out of the air, a Suffolk County appraisal was done and they came in at a price of 3.6 million. The town appraised it less and the owner opted to go for the County's appraisal.

LEG. CARACCILOLO:

Sure.

MR. COHEN:

They came in at 3.2 or 3.4 million; he's on the hook for 3.8 and the appraisal was in at 3.6. when we passed that resolution in 2000 to pay a million six, the seller was unwilling to sell, we couldn't buy it, he didn't want to sell it to us, that's why that first resolution in 2000 was done. When United Vanguard Homes bought this property first for 800 and -- I believe it was 85 as a matter of fact, United Vanguard Homes was the first entity that Carl Paffendorf used and he transferred this thing I think maybe even more times than you know about; he's made money every time, he knows how to use the system.

The bottom line is if you know this area, it is a hill going down towards Oakwood Road. Anyone here knows this office, Paul Tonna's District Office has been against this development from day one. I've

gone through three different school superintendents fighting this thing. It will be a death trap. I am not an environmentalist, I have never claimed to be one. West Hills Day Camp parks 60 cars on Jericho Turnpike every day during the summer. Across the street is Burns Ford, a huge auto dealership, it goes down hill, the sun is in your eyes both ways, one way in the morning, one way in the afternoon. There's going to be an underground sewage treatment plant, the chromoglass sewage treatment plant put in there, there's {perched} water that comes up out of the ground. Jim Conti and Carl Marcellino

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spent about \$3 million of State money to try and fix the flooding that froze on Jericho Turnpike. There's a report that says if they put a foundation in and a sewage -- a chromoglass STP, the water is going to be diverted and we don't know where it's going to come up and that might cost \$5 million to fix wherever it comes up. So we're between a rock and a hard place. Is it a terrible situation? Absolutely. Should this be developed? No.

CHAIRMAN BISHOP:
All right.

LEG. CARACCILOLO:
Well, I think the question --

CHAIRMAN BISHOP:
Mike.

LEG. CARACCILOLO:
Well, if I may, Mr. Chairman.

CHAIRMAN BISHOP:
It's my meeting.

LEG. CARACCILOLO:
Okay, but I would like to respond because I've been to the property. And as you know, I called you yesterday, told you I was going there today, I went there today, I'm very familiar with the issue you just raised about the flooding. I mean, right now with this dry season there's no water there, a lot of {fragmities} but not a lot of water. But this area has heavily been developed. I mean, you have the day, and you're right, you have all these cars on Jericho Turnpike, but when you talk about a facility, what business did the town in the first place have to approve any development on this property?

CHAIRMAN BISHOP:
That's exactly where I want to go.

LEG. CARACCILOLO:
But that, Mr. Chairman, gets back to your point about the towns --

CHAIRMAN BISHOP:

Right, that's why I want to ask the questions of the town.

LEG. CARACCILOLO:

-- approving subdivisions --

CHAIRMAN BISHOP:

Michael.

LEG. CARACCILOLO:

-- and development projects that wind up costing taxpayers more money.

CHAIRMAN BISHOP:

You're making the speech before the -- we'll do the speeches when it's

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time for the speeches. Can we do the -- can we gather the information at this time? Thank you.

Ms. Miles, the towns -- can you go through for me the town's discretionary actions with regard to this property?

MS. MILES:

It was not the Town Board that issued any approval, it was the Zoning Board of Appeals, it was a special use permit. A special use permit is a permit for use that is allowed if you might specific parameters in terms of in this particular case for this particular use, frontage on a main road, a minimum acreage requirement, a coverage limitation, that sort of thing. The Zoning Board of Appeals did issue a positive declaration and require an environmental impact statement, was a protracted review process which was coordinated fully with the County, with the State DEC and other involved agencies. And the Zoning Board did grant the special use permit, the application was revised somewhat during the course of the review and they found that this particular proposal from among the alternatives that was considered mitigated all of the impacts to the greatest extent possible short of public acquisition. It is not the Zoning Board of Appeals responsibility or jurisdiction to acquire the property. So it was the Zoning Board of Appeals not the Town Board that issued any approval.

The Town Board, right after the town wide referendum was approved, this was one of the very first properties that was recommended for acquisition in which case they directed our Open Space Council to begin to work with the County, if possible, as a partner to attempt to acquire the property.

CHAIRMAN BISHOP:

Okay. So the only discretionary action the town has taken to date was to grant a use permit.

MS. MILES:

A special use permit, yes.

CHAIRMAN BISHOP:

Special use permit.

MS. MILES:

The State DEC then subsequently issued additional approvals, a fresh water wetlands permit as well as a {speedy's} permit.

CHAIRMAN BISHOP:

Now, forgive me because I've spent my entire career at the County level and not at the town, but what about -- is there site plan approvals and things of that nature?

MS. MILES:

The structure is going to be located entirely within residential zoned portion of the property, so they do not require site plan review by the Planning Board. They will require technical engineering review by the Department of Engineering Services in order to finalize and get their building permits.

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CHAIRMAN BISHOP:

Okay. Do you want to answer questions? People who have questions of the Town of Huntington and the attorney for the property owner.

MS. MILES:

Could I --

LEG. CARACCILOLO:

Do you want to add something to that statement, to her statement?

MS. SQUIRES:

No, I wanted to add to the site itself. I'm Joy --

LEG. CARACCILOLO:

Okay. And you are?

MS. SQUIRES:

I'm Joy Squires, I'm Chair of Huntington's Open Space Committee which is a town board appointed committee. As Margo said, this was one of the first we cited, four pieces, one in each quadrant of town that we wanted to acquire and we moved forward on each of these pieces, in 1999 we first started to acquire. This is adjacent to Walt Whitman High School, it's perfect for a study area for biology classes, for any class, environmental class. It has ponds, you didn't see ponds probably today, it has one of the largest stands of yellow trout lily that you'll find documented by John Turner who I think is probably still here, I'm not pulling John here but he's walked Camelot also.

We felt very strongly about this piece of property in terms of its desirability for open space preservation. I wanted to point out to you its proximity to Walt Whitman High School, just so you have that information.

LEG. CARACCILOLO:

I am familiar with that, as I've stated.

CHAIRMAN BISHOP:

A lot of people are going to tell us --

LEG. CARACCILOLO:

I was there earlier today. I'm somewhat familiar with the area but I wanted to make certain I had the right parcel. And I think as my colleagues will see, we require at this committee aerial photographs of potential acquisitions, you'll see this is a heavily developed corridor of Jericho Turnpike.

With that said, why has the town limited itself to what now is a 22% contribution when previously it was willing to contribute half?

MS. MILES:

I can't really answer that other than to say that I was not directly involved in the negotiations for this property. I do know that when the property was appraised initially when that very first resolution went through, it was a raw acreage appraisal and it was not -- it did not have the approvals that the property has now. Why the cap of

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\$800,000, I believe that is something that I really can't answer, that was negotiated between --

LEG. CARACCILOLO:

But there's the inconsistency. We hear from the Open Space Committee Chair, we hear from others that this has been a long standing priority of town government to preserve and now when it comes time, show time, they say, "Oh yeah, we're in but we're only in for 22%. Let the County" --

CHAIRMAN BISHOP:

Because the value went up because they --

LEG. CARACCILOLO:

Oh, sure. I mean, I question why it took to years to get to this point. You know, did we get to where the developer wanted us to get and now we should do it? I think not.

MS. SQUIRES:

We did not have a willing seller for many -- for this time period.

LEG. CARACCILO:

Ma'am, we face that all the time.

MS. SQUIRES:

I understand that you do.

LEG. CARACCILO:

We face that, and you know what? We move on, we don't go back and revisit we move on.

MS. SQUIRES:

Well, there isn't much left in the Town of Huntington so we find that we can't move on. We're tenacious and we keep trying.

LEG. CARACCILO:

Okay.

LEG. CRECCA:

Mr. Chairman, may I?

CHAIRMAN BISHOP:

Yes.

LEG. CRECCA:

I guess my question is, and it's a little bit of a follow-up, are you willing to go back to your town supervisor and your town board and increase the level of contribution from the town level on this project? I understand that this is a quadrant that is of significant importance to do open space acquisitions for the town. And with that in mind, I mean, I'm prepared to have this go to the floor and I would support that, I think environmentally I think it's a very important acquisition. But I'd like to see, you know, more of a commitment from Supervisor Patrone and form the Town Board.

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CHAIRMAN BISHOP:

It's not going to change.

LEG. CRECCA:

I'd like to see more of a commitment from Supervisor Patrone and from the Town Board on this parcel and I don't -- you know, I just -- if we could find out if there's a willingness from the town between now and Tuesday.

CHAIRMAN BISHOP:

Counsel to the -- not you. What is the timetable of the seller? Does it --

MR. CURRY:

In the event that the Legislature approved this, we would be willing to close immediately.

CHAIRMAN BISHOP:

What if we don't approve it?

MR. CURRY:

We'll go back and develop it for the purposes for which it was to be developed.

CHAIRMAN BISHOP:

Would the developer wait 30 days for the County to communicate with the Town of Huntington?

MR. CURRY:

Yeah, it's my understanding that my client would wait 30 days, sure. You asked about ability and willingness to close; we're willing to do that immediately.

CHAIRMAN BISHOP:

Yeah, no. The real question was the last question. Okay, any other questions? Legislator Fields?

LEG. FIELDS:

I heard Legislator Tonna's aide remark about a chromoglass system; that's in, and where is that exactly within this property?

MR. COHEN:

The approval has already been given by the Department of Public Works to put an underground sewage treatment plant. It's a chromoglass system that's underground that has to be pumped up three times a week by huge trucks. A lot of people think it's going to get into the ground water but actually it doesn't, it just has to be pumped up and it's going to be in a spot where it would be about 15 feet from a girls lacrosse field -- not lacrosse, uh --

LEG. FIELDS:

Field hockey.

MR. COHEN:

Field Hockey, thank you, field hockey field. You have to understand, the proximity of this piece of property from the day camp that has

1,800 children and about 75 to 80 buses every day during the summer, and then 16 year old drivers going to Walt Whitman High School, I'm telling you just like I told the board in Huntington, at two o'clock in the morning there's going to be body bags on Jericho Turnpike. You cannot develop that property.

LEG. FIELDS:

The reason I asked you about that is because I just had a conversation with Vito Minei about chromoglass and he said that it's the only

accepted -- it is the state-of-the-art right now; am I correct, Vito?
And that -- is this correct, that it has to be pumped out as Mr. Cohen is saying, or is that a myth?

MR. MINEI:

Hi. I'm, Vito Minei, Director of Environmental Quality. I don't know the actual process train. The chromoglass system is the only denitrifying sewage treatment system approved right now by the State DEC and therefore authorized by us for certain small flows. This Camelot must be less than 15,000 gallons a day, that's why it's using a chromoglass system. I'm not familiar with the process Mr. Cohen just described. It's possible that it has to be pumped. I do recall that extensive efforts had to be made for the leaching, the recharging part of the facility to be installed, I do remember that; there were soils as well as ground water conditions that required extensive efforts. But to answer your question, it is indeed the only accepted sewage treatment system for removing nitrogen that the State approves, therefore the County Health Department, for flows between zero and 15,000 gallons, actually over 1,000 gallons to 15,000 gallons.

LEG. FIELDS:

But it has to be pumped out daily or something?

MR. MINEI:

I don't know about -- I don't know about the actual pumpage requirements. You were talking sludge for this system.

LEG. FIELDS:

Okay.

MR. MINEI:

Often times they go extensive periods without pumping, I don't know what the circumstances are here.

LEG. FIELDS:

Well, because he commented that there would be overflow and there would be a problem and that's what I want to clarify.

MR. COHEN:

Historically the builder tried to hook-up to Nassau County first, at that spot it's actually closer -- the closest sewage line is in Nassau County, he was turned down by Nassau County. Then he tried to hook into Walt Whitman Mall, that was turned down because it would be a huge problem breaking up all of Jericho Turnpike to the mall. His last resort was an under ground chromoglass system and this system is going to be a nightmare because it's perched water and it's going to divert water under ground, we don't know where it's going to go.

LEG. CARACCILO:

Mr. Minei, you agree with that?

MR. MINEI:

Again, Mr. Cohen has me on the details. I know that -- I do recall that, again, there had to be extensive efforts made with removing considerable soil, getting down through a clay layer, getting the recharge facility installed. I don't recall the actual details of the process train of flow in/flow out and the need for pumping, etcetera, I don't recall that.

LEG. CARACCIOLO:

Okay. The question I have is --

LEG. FIELDS:

Wait, wait, I still have the mike.

LEG. CARACCIOLO:

Just as a follow-up to your question.

LEG. FIELDS:

But it might be my follow-up question, so --

LEG. CARACCIOLO:

Would you suffer an interruption, just a quicky? Okay. In terms of the number of beds this facility would be, what's the size of the facility?

MS. MILES:

It's 120 beds.

LEG. CARACCIOLO:

Vito, have you seen this proposal in the Health Department?

MR. MINEI:

I recall it. In fact, I recall being on the Board of Review when this project was brought in for a variance, I'm just not -- you know, I don't have the facility with all the details.

LEG. CARACCIOLO:

So it would require a variance.

MR. MINEI:

Yes, because --

LEG. CARACCIOLO:

A Health Department variance.

LEG. FIELDS:

But was it approved already?

MR. MINEI:

Yes, it was approved.

LEG. CARACCILOLO:

Okay. So what are the flows in terms of the gallonage; does the

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Planning Department or the town have that information?

LEG. FIELDS:

It has to be under 15,000.

LEG. CARACCILOLO:

Well, we're assuming that, we don't know that.

LEG. FIELDS:

No, in order for --

LEG. CARACCILOLO:

Well, in order -- yeah. I mean, there's a representation that it's that type of a system; do we know for a fact that's what we're talking about?

CHAIRMAN BISHOP:

Why don't we ask the question and wait for the answer?

LEG. CARACCILOLO:

Okay. Do we know the amount of gallonage that would be discharged from this facility?

MS. MILES:

I'm sorry, I don't know.

UNKNOWN AUDIENCE MEMBER:

We have it right here.

LEG. CARACCILOLO:

All right. I think we need to have questions like that answered, Mr. Chairman, so that we know what we're dealing with here.

MR. MINEI:

I think --

LEG. CARACCILOLO:

I think we have partial facts, not complete facts.

MR. MINEI:

It cannot be more than 15 thousand gallons.

LEG. CARACCILOLO:

To qualify for that system.

MR. MINEI:

The chromoglass.

LEG. CARACCILO:

If it's in excess of that, then what's required?

MR. MINEI:

Then it's a full scale sewage treatment system that essentially carries out the same functions, it's just constructed differently.

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LEG. CARACCILO:

Much more costly as well.

MR. MINEI:

It's much more costly. So a lot of projects come in purposefully trying to meet the 15 thousand gallon a day threshold.

CHAIRMAN BISHOP:

Okay. We have many, many more people who want to speak on this. Thank you. Is there anything anybody wants to add before you're banished to the back of the room? Thank you.

LEG. CRECCA:

Thank you.

CHAIRMAN BISHOP:

Now, I have more than 20 cards and I see more than about 40 people who are here from Huntington. I will --

LEG. FISHER:

You have the Mayor of Port Jeff here.

CHAIRMAN BISHOP:

But I'm still on this issue, so I won't forget the Mayor. What I have done in the past is asked organizations like this, specific organizations, do you have leadership, are there people that you can designate, three or four people to start?

UNKNOWN AUDIENCE MEMBER:

Yes.

CHAIRMAN BISHOP:

All right. So come up with your leaders.

MR. WALTER:

Do we come up to the chairs?

CHAIRMAN BISHOP:

Yes, to the chairs, to the chairs. It's like C-Span, you ever seen Congress?

LEG. CRECCA:

I think comparing us to Congress --

CHAIRMAN BISHOP:

No, we're better.

LEG. LINDSAY:

That's really a stretch now.

CHAIRMAN BISHOP:

That's a lot of leadership. If you are not up at the table and you still wish to speak, you will be allowed, but what I ask is that we not engage in a lot of repetition of the same points. So if you hear your point being made, I assume by your presence that you're here to say yes we agree. So let's start with whoever is in charge here.

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MR. WALTER:

My name is William Walter. I am a resident of the West Hills area of Huntington for 39 years, I'm Chairman of the Huntington Beautification Council and President of the Taxpayers to Save the Paumanok Bio-Enclave. The taxpayer group is a not-for-profit organization that was chartered in New York State and was given tax exemption by the IRS, its purpose is to save and protect the Paumanok Bio-Enclave.

Before we -- I think one of the things that we'd like to do in our presentation here is to demonstrate to you the ecological and bioscientific features of this parcel which has already been described to you as one of the first to be recommended to the town for acquisition. However, you have been talking about the sanitary waste issue and I have some information on that that I could convey at the beginning if you would like to continue on that topic or whether you would prefer to return to that later.

CHAIRMAN BISHOP:

What I really prefer is to get a quorum back in here because I don't you to be wasting your breath.

MS. MANZI:

Thank you. Thank you, Mr. Chairman.

CHAIRMAN BISHOP:

Legislator Fields, I'm picking on you because I don't have a quorum and it's not fair to the speakers. If you could return.

LEG. FIELDS:

I will be right there.

CHAIRMAN BISHOP:

You'll be right there. Let me try to round them up. Okay.

MR. WALTER:

Questions were asked about the sanitary waste system and you have heard something about the chromoglass treatment facility and the question is how much gallonage would the 120 bed apartment type facility be thought to be generating. And the environmental impact statement that has been prepared by the engineers for the proposed Camelot project indicate that they expect 12,000 gallons daily to be discharged into the ground water at the site. That amounts to 4,380,000 gallons of sanitary waste into the ground water at that site each year.

This is a deep -- a designated deep discharge area of the Island and so the effect on our ground water -- on our drinking water is going to be suspect and is going to be an impact because presently the -- it's going to cause a 300 times increase of nitrogen going into recharge our sole aquifer drinking layer. Right now we have .02 milligrams per liter of nitrogen going in from this site, with the installation of that chromoglass facility the discharge is going to go up to six milligrams per liter which is just below the ten maximum limit. And I'm told by the people who deal with these subjects that when you have a facility that's that close to the maximum limit, it's considered a questionable facility because sometimes the facility won't be working

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at its optimum, there will be times in which it exceeds the maximum. So that if this facility does go in, we are going to change this area from a pristine area that contributes to the quality of our drinking water to an area in which it is going to be questionable and affecting our ultimate drinking water. So the question that you had raised earlier about the effect of the sanitary waste system is indeed a very significant concern that we the community have as well.

Furthermore, it's been pointed out that this site is immediately west of the Walt Whitman High School and the ground water -- the ground flow water in that area is to the south east in the direction of the high school. The immediate portion of the high school that is there is the cafeteria after passing through the field hockey area. And since this -- since because of the slopes in the area, this Camelot property is higher than the high school and the ground water does flow down in that area. So there's very deep concern that you'll hear from some of the people associated with the school district on what the ultimate effect is going to be to the children that are using the field hockey and athletic areas as well as to the children that are in the cafeteria and other areas of the school.

And Legislative Aide Cohen is right, there's a sludge pit that's part of the process that does have to be cleared out, so odors are also the question as to what their effect is going to be and the effect of the sanitary waste facility that's proposed is indeed a great concern to the South Huntington community.

But I would like to return to something that I think that you haven't heard much about which is this property. You have been told that it was the first on the list when Huntington first established the open space acquisition policy. This was the first property to be recommended and it was approved by both town and County at lower limits and appraised and negotiated and now we're hoping that the Legislature will complete the process because this property is got -- does have some very unique features. The marinal conditions of the land, there are deep slopes that change by 95 feet over the ten acre site. And foremost one should point out that this property contains a Class I Fresh Water Wetlands, one of only four Class I designated New York State Fresh Water Wetlands in the Huntington Quadrangle. So the preservation of this land just from that point of view is very important. Furthermore, because of the wetland, there's an assemblage of unique species that are present on the site that will be decimated if the property is developed as proposed.

Now, I would like to make you aware of the wetland features. You have taken a series of pictures of the property that I would like to ask that you have the opportunity to see. These are photographs that were taken starting at the western end at Paumanok Drive which is the western boundary of the property and proceeds sequentially to Oakwood Road at the eastern end of property. And you can see there the examples of ponding, the emergence of wetland vegetation, these were taken last spring, a meandering stream that some would refer to as Walt Whitman Brook. And it's very evident that the entire northern portion of the property is a fresh water wetland. This wetland is part of a region that has been termed the Paumanok Bio-Enclave because

the upland region also is required to support the species that are resident in this area.

And because of this site's importance and the wide interest in its preservation, the taxpayers to protect the Paumanok Bio-Enclave has been organized and we have a paid membership of 200 that is still growing. We are proposing to carry out wildlife protection and habitat conservation by establishing this parcel as a living laboratory in connection with the Walt Whitman High School. Part of the Bio-Enclave is already on high school property. There are several couple of small vernal ponds there and some of the upland habitat is there as well. We would propose to work with the faculty and students in examining causes such as the decline of amphibians, a world wide decline of amphibians, the yearly loss that we have of 24,000 acres of wetlands each year, the issues such as deformed frogs that is now an interesting topic as to whether that's caused by pollution or by bio-species. Such -- we are fortunate to be located close to the Cold Spring Harbor Laboratory and the Cold Spring Harbor Fish Hatchery and these people from these areas could serve as mentors in educational

programs that this area could serve as an outdoor living laboratory for these students at the high school.

The Department of Transportation has recently started to use recharge basins further east on the Island to convert them into wetlands; perhaps you have seen this in Newsday. And the purpose here is to try to reestablish or recreate wetlands, but here we have a Class I Fresh Water Wetland that is in its original condition and should be preserved and maintained and used for the benefit of the forthcoming generations. And this is precisely why we're asking the Suffolk County Legislature to pass this resolution so that this important property can be preserved.

We have gathered with us here this afternoon some other people who can give you information on other aspects of this. Fred Schlauch is a bio-scientific consultant that has worked with us on the property and can tell you of some of the species that are there. Barbara Archer is here from the PTA and she has a report from the Open Space Committee that talks about some of the bird species that are present on the property and were not recognized in the environmental impact statement; maybe since that's a short one, Barbara, you can make that presentation now.

MS. ARCHER:

Sure. My name is Barbara Archer and I'm a community member, PTA member and Vice-President of the Taxpayers to Save the Paumanok Bio-Enclave. Good afternoon.

Unfortunately William McAneny is not able to be present this afternoon to present the Field Inspection Report he carried out on the Camelot/Paumanok Wetlands Property with other members of the Open Space Committee. Bill was the first Chairman of Huntington's Conservation Board and has contributed many years of outstanding service to the Town of Huntington. This past December the Town Board presented an award to Mr. McAneny in recognition of his services on open space and conservation committees. He has recently moved Upstate, however, but has given us his permission to read his findings and

observations about this property. I am now quoting from the section entitled "Findings/Observations".

"Terminal Moraine with abrupt changes in elevation. Surface water and wet areas. Heavily timbered, (Red Maple in the north, Oaks and Hickories in the south. Dense understory. Exceptional ground cover of Trout Lillies, perhaps the second largest on Long Island. Also widespread Solomon's seal, wood violet and Canada Mayflower, plus several types of ferns, wild geraniums and Jack-in-the-Pulput. Much Hercules Club. Like a botanical garden. Birds seen and heard: A Scarlet Tanager, (a threatened species, the subject of Cornell

University Studies), the House Wren, Red-breasted Nuthatch, Green Heron, Tufted Titmouse, Mallard, Red-bellied Woodpecker and many others."

Of the six birds specifically mentioned that were seen or heard on the site, only three were listed in Camelot's Environmental Impact Statement. Camelot's EIS erroneously reported that the other three birds which open space committee members saw or heard were not present. I am now quoting from Camelot's EIS. "The pond on the site is small and subject to disturbance from the adjacent roadway, and thus wetland species such as the mallard, green-backed heron are not expected to use this site." Concerning the Scarlet Tanager, the Camelot's EIS states, "This species is extremely vulnerable to habitat fragmentation and is usually found in wooded areas of over 50 acres and thus is not expected."

The environmental significance of this property has not been appreciated. Neither the presence of the Scarlet Tanager nor the presence of the second largest ground cover of Trout Lillies was mentioned in either the draft or the final environmental impact statement Camelot presented to the Town of Huntington. The environmental significance has also not been appreciated by passerby along Jericho Turnpike, it is just not expected. We must request Suffolk County to join with the Town of Huntington in preserving the Paumanok Wetland. This will prevent habitat fragmentation and encourage its survival of the unusual and unexpected species that are present on this site.

I am now quoting from the conclusion of Mr. McAneny's Field Inspection Report. Here is how he sums up his evaluation of the property in a section entitled Inspection Summary. "An exciting jewel. Development must not be permitted. Buy it, clean out the trash and leave it alone." And I would like to present the committee with copies of the Field Inspection Report. Thank you for your time.

MR. WALTER:

We have with us also this afternoon Dr. Timothy Brennan who is Superintendent of Schools of the South Huntington School District and I'd like to ask him to say a few words.

DR. BRENNAN:

Thank you. Hello and thanks for the opportunity to talk to you. I am Tim Brennan, Superintendent of the South Huntington Schools. It's nice to see you again, thank you for the opportunity to address you.

What Mrs. Archer is describing is an ideal outdoor classroom; two ponds, heavily treed, many endangered species. And it's right next to Walt Whitman High School where we're not only concerned for the quality of life for those children but we have an environmental club

who would like to serve as the impetus to form an elective course, part of our curriculum where students would study these concepts, terminal moraine recharge system, and act as {dosins} for our elementary school students in South Huntington and in other areas of the town. Just off Jericho there is an untraveled private road, Paumanok Road where the buses could come in, the kids could get out, they could be safe; it would be a wonderful learning experience and the students would also learn some community learning because we would be very willing to form a stewardship for the property using the youngsters. Thank you.

MR. WALTER:

I'd like to ask Fred Schlauch who is a bio-scientific expert to say a few words about the importance of species on this site.

MR. SCHLAUCH:

I have prepared a statement and I have copies. My name is Frederick C. Schlauch, I am a Biologist especially knowledgeable in biodiversity science, in conservation biology on Long Island. I believe the information about my credentials and all my expertise in the scientific disciplines is already a matter of record from previous appearances I have made before members of the Suffolk County Legislature.

I am here today to speak as an independent bioscientific consultant retained by taxpayers for the Paumanok Bio-Enclave Incorporated. Although I have not yet seen the contents of the Legislative proposal which is being considered today, I understand that this proposal was to acquire for biodiversity protection purposes, most of the Paumanok Bio-Enclave, a very significant track of the once great West Hills Biogeographic region. The acquisition of this parcel of the Paumanok Bio-Enclave for biodiversity protection purposes would be a wise and sound act of the County Legislature.

The great West Hills biogeographic region originally covered many thousands of acres in western Suffolk County, agriculture, estate development and suburbanization destroyed --

CHAIRMAN BISHOP:

Are you reading this six page report word for word?

MR. SCHLAUCH:

Okay, you want me to cut it down a bit?

CHAIRMAN BISHOP:

Yeah, that's not going to make it.

MR. SCHLAUCH:

Okay. Agriculture estate development suburbanization destroyed the vast majority of the original fresh water wetlands, deciduous forest, vernal ponds and pristine brooks which characterized this

biogeographic region.

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Though it may be said that we should preserve the Paumanok Bio-Enclave for future generations or for ground water, I see that the County Legislature should vote to acquire and protect the Paumanok Bio-Enclaves, substantially on the basis that natural life, natural biodiversity must be viewed by all citizens in government as having an inherent right to exist naturally and to not be wiped off the face of the planet.

Among the especially significant aspects of the Paumanok Bio-Enclave is its population of the Wood Frog, and I give considerable information in here about the Wood Frog; we'll skip over that because it's in my statement. Now, within the Paumanok Bio-Enclave is part of Walt Whitman Brook, one of the many brooks which once were so abundant in the West Hills Biogeographic region. The majority of such deciduous forest brooks, intermittent streams and spring seepages have been destroyed on Long Island. Engineering drainage projects and other acts of man have destroyed most of the large stream system of which Walt Whitman Brook was a part. The upper part of Walt Whitman Brook may have been destroyed fairly recently for day camp usage despite the existence of a town law which supposedly protects water courses such as Walt Whitman Brook from such destruction without approval from the Town Board.

The lower part of Walt Whitman Brook has been conduited into underground concrete entombment by engineering drainage projects. However, for most of its course down stream from the day camp and up stream from the conduiting of Walt Whitman Brook, though in part in the form of Wakked-in Pond, still survives as a remarkable feature of the landscape of the Bio-Enclave.

Walt Whitman Brook flows through the Paumanok Westland, a fresh water wetland which I have delineated as about 4.1 acres in size. Ancient Red Maples and Pin Oaks still tower above parts of the Paumanok Wetland, the preservation of which is vital to the survival of the Wood Frog and the Bio-Enclave.

No complete inventory of all of the biodiversity of the Paumanok Bio-Enclave has ever been performed, but all indications are that this bio-enclave still is a place where many hundreds, if not thousands, of native plant and animal species --

CHAIRMAN BISHOP:

Can I ask a question that maybe can help you summarize this? This is ten acres off Jericho Turnpike, it sounds like you're describing the entire Amazon Rain Forest.

MR. SCHLAUCH:

Well --

CHAIRMAN BISHOP:

What is the difference between this and any one of these nice people West Hills backyard.

MR. SCHLAUCH:

Okay, a lot of difference.

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CHAIRMAN BISHOP:

Okay, give me that answer, that may be a good answer.

MR. SCHLAUCH:

First of all, Wood Frogs cannot breed in the backyards of people. Plant and animal populations cannot sustain themselves in the backyards of people.

CHAIRMAN BISHOP:

But they can on ten acres.

MR. SCHLAUCH:

Many backyards that may look to an ordinary citizen going by, "Oh, look at the nice streams, the nice woods, the nice flowers," a biologist goes in there and sees these lands and knows that they're not part of the natural area, this West Hills biogeographic region. Yet the Paumanok Bio-Enclave has significant remnants of what was originally across the land.

CHAIRMAN BISHOP:

Okay, that's a good answer.

MR. SCHLAUCH:

Okay. I will try -- well, I do want to talk a bit about modern conservation biology. It's a relatively new science and qualified conservation biologist which should not be confused with fish and game biologist, very few in number on Long Island. But I personally believe that when a piece of land like this is acquired, as should apply to any piece of land that's going to be "preserved", that conservation biologists should be there from the beginning, the inventory should be done by the conservation biologist and related scientists in taxonomic disciplines, but it's also important from the outset to have incorporated into the deed or some other covenant in some way that guarantees that a place as precious as this that comes under planning involving supervision and decision making by conservation biologists who are the experts in the science of protecting areas.

Presently, as far as I know, nowhere in Suffolk County Government nor in the government of the Town of Huntington is there a single

qualified conservation biologist to make recommendations in the planning process. And I should emphasize I think there's a real urgency to get this parcel acquired by the County. I do see the urgency and maybe some day the County will in its wisdom bring in some conservation biologists into the employ of the County involved in the Planning Department and so forth. But I would say right now we shouldn't delay until that moment in terms of acquiring this parcel and because there are no employed conservation biologists, I'm willing to volunteer my services to help in getting really strong for the preservation clauses or covenants or whatever incorporated into the land transfer process. Thank you.

CHAIRMAN BISHOP:

Thank you.

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MR. WALTER:

I think to return to the fact that this property has a Class I designated New York State Fresh Water Wetland. Yes, there are other ponds in the West Hills area, we find that when they get incorporated into people's properties they get prettied up, they get lawns put in, you lose the species that are there. That's why it's so important to save this Class I Fresh Water Wetland. I'd like to call on Maria Manzi now who will tell us something about the impact of the construction should the proposed Camelot facility go through.

MS. MANZI:

Good afternoon, Mr. Chairman. My name is Maria Manzi, I am a member of the Taxpayers to save the Paumanok Bio-Enclave, I am a member of South Huntington's Council of PTA's and the Walt Whitman Whitman High School PTA.

What would the impact of development have on the Paumanok Wetland site? I would like briefly to indicate to this committee the consequences of the construction of the proposed Camelot facility. The Paumanok Bio-Enclave, the site of the proposed Camelot facility, is part of the West Hills Morainal area of steep, sloped hills and deep valleys. The land elevation changes by more than 65 feet ranging from 190 to 265 feet above sea level with grade changes as much as 50%. In order to carve out a significantly large flat area on this parcel among the wetlands and the uplands of the Paumanok Bio-Enclave, the engineers for the proposed Camelot facility conclude in the final environmental impact statement that to provide for the building footprint, for 84 parking spaces, for loading zones, for an arrival area, for an on-site sanitary waste and other waste handling systems and service areas, more than half the land must be bulldozed clear. Sixty-four percent of the woodland of the parcel will be destroyed; 34,300 cubic yards will be excavated to lower the hills but only 11,300 cubic yards are needed to fill the valley. Twenty-two thousand cubic yards of soil will be removed and sold as spill. Even after all

this excavation, five retaining walls would be built 1,125 feet long at heights of up to 20 feet. Just the numbers that the applicants engineers have calculated for the topography changes required makes the devastating impact of the proposed facility very apparent.

The significance of these large numbers can be stated in a more understandable context. Twenty-two thousand cubic yards of soil to be removed and sold as spill. When this is accomplished in the usual 20 cubic yard dump truck, there will be 1,100 dump trucks filled with soil lumbering out of the property during the construction. A great many additional dump truck loads will be required to remove the 64% of woodland that will be cleared and removed from the site. All trucks must enter from Jericho Turnpike and drive through the Paumanok Wetland, including the many additional trucks bringing in all the construction materials and the vast array of the heavy duty construction equipment to build a three-story, 120 bed facility.

The South Huntington School District, to provide for the safety of its student walkers, student and teacher drivers, school buses, supply and other school vehicles, has wisely limited its private access road known as Paumanok Drive to school uses. All Camelot project trucks, workers vehicles and all other project associated vehicular traffic

will have no access to Paumanok Drive and will have to drive through the Paumanok Wetland. It is evident that the proposed Camelot project would cause irreparable harm to the wetlands and the habitat for the assemblage of species presently on the site. We urge the Suffolk County Legislature to pass this resolution completing the open space acquisition of the Paumanok Wetland, allowing the site to become an outdoor living laboratory for the South Huntington School District. Thank you.

MR. WALTER:

If I may, may we have Diane Balducci?

MS. BALDUCCI:

Good afternoon, Chair and Members of the Committee. My name is Darlene Balducci, I am President of the Audobon Wood Civic Association and also a member of the Board of the West Hills Nature Preservation Society.

I would like to express to the Suffolk County Legislature the broad range of support by many groups for the acquisition of the Paumanok Wetland to secure its protection and preservation. The Audobon Wood Civic Association is the second oldest civic association in the Town of Huntington. Its membership includes a 110 homes in the West Hills area. As President of the association, I would like to convey to the Suffolk County Legislature the strong desire of our membership for open space protection of the Paumanok Wetland. You have heard this before but the property contains a Class I Fresh Water Wetland and a unique habitat for many unusual and distinctive species which can best be protected by acquisition under an open space preservation program.

The West Hills Nature Preservation Society has been working for seven years to protect and preserve the few last remaining forest and wetland parcels in the West Hills area. The Paumanok Bio-Enclave is an especially valuable property that should be preserved under Suffolk County and the Town of Huntington's Open Space Preservation Program. As an officer of the West Hills Nature Preservation Society, I respectfully request the Suffolk County Legislature pass this resolution completing the open space acquisition of the Paumanok Wetland.

Other organizations that have offered support include the Sierra Club, the PTA of the South Huntington School District and the Melville Civic Association consisting of 15 civic associations. Instead of reading the names of these civic associations, I will provide you with an MCO signature page. On behalf of all these groups which represent approximately 2,800 residents, I urge you to pass this resolution, and I would like to give this to the members.

I would like to add one thing that I haven't prepared here that I've been listening to since we have been here this afternoon. Are we to understand that the residents in western Suffolk are to be penalized because property values are higher in western Suffolk than in eastern Suffolk? Are you trying to tell us that, in fact, what you're saying is that western Suffolk residents are not in entitled to open space? Because that is what I'm gathering --

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CHAIRMAN BISHOP:

You have now guaranteed that we'll be here till eleven o'clock at night if we start that.

MS. BALDUCCI:

Okay. I just --

CHAIRMAN BISHOP:

Now, I know in Huntington that's part of the culture, they love those long meetings.

MS. BALDUCCI:
No, no, that was it.

CHAIRMAN BISHOP:
I'm from Babylon, we try to do it like that.

MS. BALDUCCI:
Yeah, I --

LEG. FIELDS:
Luckily the Legislator from the 1st District is out of the room.

CHAIRMAN BISHOP:
Nice attempt.

MS. BALDUCCI:
Okay, thank you.

LEG. FISHER:
Talk about engaging.

LEG. CRECCA:
If he heard you we're doomed.

LEG. FISHER:
The only ones who are left sitting here are from western Suffolk.

CHAIRMAN BISHOP:
Right, okay. Thank you all. Any questions for the people that spoke before us? You all did a fine job. And the school district to offer a stewardship is extraordinary, I appreciate that as well.

LEG. FIELDS:
Can you all come back when we have other western portions that we need help with?

CHAIRMAN BISHOP:
Thank you. Now, is there anybody else here from Huntington on this issue who wants to be heard that hasn't heard what they wanted to hear from their speakers?

LEG. FISHER:
Yes, there are two young ladies.

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CHAIRMAN BISHOP:
There's two young ladies and a third young lady in purple I see also. Okay, now is the time. Come on up, it's okay. This panel is departing, thank you. Welcome.

MS. PADINO:

My name is Mary Padino and I've been living in West Hills since 1948 and it is a beautiful area, there's no doubt about that, but I'm not going to go into that.

One thing that nobody said anything is about the traffic on Jericho Turnpike. It's horrendous right now. Could you imagine with all those homes, what is it going to be like? And that's what upset me. That's all I have to say. Thank you. I wish you would take that into consideration. Thank you, Mr. Bishop.

MS. DILLON:

My name is Pat Dillon, I'm a resident of the area and I'm also the Vice-President of the school board in South Huntington and I'm piggybacking on to you.

Between Round Swamp Road and Route 110 there have been about 260 accidents according to the officers in the Second Precinct. We have had three students hit by cars there, one was a fatality, and we had an alumni just die there a couple of years ago, right on that curb where that road is. Across from the site is a dealership unloading vehicles on the descending section of the crest. The traffic light at Paumanok itself, when we have our students leaving the building, as parents we're telling them not to go when the light turns green because as Mr. Cohen mentioned, the sun is right in the eyes of the people that are coming west in the morning and east in the afternoon.

When you talked about the County share of the cost, realize that the owner bought this property seven years ago and his costs are what it costs for him to run his business. But I'm sure he read the recent articles in the news pages about the glut of these kinds of establishments. When Mr. Paffendorf first was in United Vanguard, I was I was a member of the school board and he had asked the district to give him a cut on Paumanok Road, Paumanok Drive to use the property. At that time it was not a majority of the school district board, but we decided that it was not safe for our children at that point and that was seven years ago before we've had more traffic on that road. At that time we were concerned about a building in an environmentally unsound area, we were also having horrendous flooding that eventually ended up going into the school buildings on our floors, we believe, they were part of the problem with the school building floors that affected our taxpayers, and this is another issue where this has gone on for seven years. And I agree with Mr. Caracciolo, I can't see without my glasses, that this is outrageous that this is what this is costing when it's been going on for seven years and it's been fought for for seven years. Thank you.

CHAIRMAN BISHOP:

Hold on, a third.

MR. { SPERRY} :

My name is Richard { Sperry} . I've lived in Suffolk County, western Suffolk, since '66 and I used to drive on a regular basis daily past this property. And every spring it was a joy to see some mallard ducks in Little Pond, I was disturbed when I heard that they couldn't exist there. I don't understand, I've listened to things this evening that I never realized were happening and I do not understand why the Town of Huntington ever gave them permission to build on this facility and I hope that the County Legislature will do all they can to keep the building from happening. Thank you.

CHAIRMAN BISHOP:

Anybody have questions for this panel? No. Thank you very much. Do we have the school children? No land purchase is complete without the school children's testimony.

MS. KOURBAGE:

May I speak?

CHAIRMAN BISHOP:

Yes. Okay.

MS. KOURBAGE:

I was born and raised in Huntington in this area.

CHAIRMAN BISHOP:

You have to say who you are.

MS. KOURBAGE:

Gail Kourbage. Gail Kourbage, K-O-U-R-B-A-G-E. I live only a couple of parcels from this property but I've been in this area my whole life. The children in this school district will really pay, the taxpayers will pay. The high school will, you know, I feel will be directly impacted from a taxpayer point of view. We'll lose our property value when we have a three story facility next door that will be pumping sewer sludge and the children, high school children can attend all kinds of private schools. We already have a difficult situation at this point, we don't need more elements added to it. I'm sorry, but the whole area will pay just for -- from a school district point of view. Thank you.

CHAIRMAN BISHOP:

Thank you.

LEG. FISHER:

The girls aren't coming up, they felt everything has been said that should be said.

CHAIRMAN BISHOP:

Okay.

LEG. FISHER:

And they said because the Chairman said not to repeat they weren't coming up.

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CHAIRMAN BISHOP:

That's excellent, excellent.

LEG. FIELDS:

Smart kids.

CHAIRMAN BISHOP:

You know, a few weeks ago when I started receiving this massive amounts of mail from the West Hills community, I thought finally, finally a community understands my wisdom and power, and then I found out that Ron Cohen sent out a letter and Legislator Tonna was saying "Write Bishop".

I'm like Will Rogers, I've never met a purchase that I didn't like, that's probably why I got this job as Environment Chairman. And we have a history in the County Legislature of being wonderfully aggressive when it comes to land purchase and preservation throughout the County. This parcel, however, not because of any geological issue, is a difficult parcel to cast a vote on at this time.

Obviously it has environmental significance and value and it's something that we don't want to see developed, but it is unusual and unusual in a bad sense that this level of government is asked to spend in excess of \$3 million to preserve something that has seen its value increase 300% in five years because of actions of another branch of County government; the Suffolk IDA obviously has helped pump up the value of this property. And then there's the issue of the Town of Huntington's actions; discretionary or not, they have also contributed to the enormous increase in value. So you feel like if you don't preserve it you lose it, if you do preserve it you feel like a fool. So it's a difficult question.

One of the things that I've heard my colleagues say to me is that we should go back to the Town of Huntington and see if they'll increase the contribution. And I know there are some members who no matter what the Town of Huntington does are not going to support it, I think you can figure out who those are. I think there are other members who if there was more of a contribution from Huntington might be able to stomach making a County contribution of great significance. Also, it is incumbent upon us I think to hear from the Suffolk County IDA about what the heck was going on in this case.

So I'm going to make a motion to take this out of order.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Seconded by Legislator Fields, and I'm going to make a motion to table it. And during that intervening time we'll contact the Suffolk County IDA, have them come to the next committee meeting, and we'll also send some sort of official communication to the Town of Huntington asking them if they are willing to pay a greater amount in the partnership.

LEG. FIELDS:

Second.

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CHAIRMAN BISHOP:

Second by Legislator Fields. All in favor? Opposed? There's a quorum, it's 3-0. I assume the other members are to cast their vote in accordance with that because they indicated to me that that's what they wanted to do. Okay? So we're going to table this.

TABLED (VOTE: 5-0-0-0).

When is the next meeting of this committee?

MR. SABATINO:

September 11th.

CHAIRMAN BISHOP:

September 11th, if you wish to join us again. Thank you. All right. Next is the Mayor of Port Jefferson who I didn't know we had another Honorable here, and I apologize to her. Mayor Garant, come on up.

September 10th -- excuse me. Tuesday, September 10th, 2:30, right here. Good afternoon, Madam Mayor.

MAYOR GARANT:

Good afternoon. I wish you all a good afternoon, this is quite a chore to be sitting in your seat, committee members.

CHAIRMAN BISHOP:

Today, usually they're less difficult.

MAYOR GARANT:

This is a difficult task you have and I know what hot seat you can be in. My summary is going to be somewhat brisk and to the point.

LEG. FIELDS:

May I ask for you just to wait until the people leave because it's hard to hear you above them all speaking, It also gives our stenographer a chance to load the paper.

LEG. FISHER:

Actually, Mayor, before you begin. Is this on? It doesn't sound

like -- is it on? I would just like to point out to the members of the committee that one of the resolutions that will be addressed by Mayor Garant, Resolution 1785, was erroneously left off your agenda; it should be under Tabled Resolutions, 1785. Do I have the number correct?

MR. SABATINO:
Eighty-five.

LEG. FISHER:
1785, okay. And the Mayor will be talking about two resolutions, the other one is -- what's the other number, Nanette?

MS. ESSEL:
1907.

LEG. FISHER:
The other one is 1907.

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CHAIRMAN BISHOP:
Okay.

LEG. CRECCA:
Did you take the one vote?

CHAIRMAN BISHOP:
Yeah. Add your vote to the majority?

LEG. CRECCA:
I would like to, yes.

LEG. FISHER:
Go ahead, Jeanne.

MAYOR GARANT:
I'm ready, I'm ready if you are. Can you hear me clearly enough? It sounds like an echo chamber now. Actually I'm here to represent the residents of our community which is a very small village on the north shore. With a budget much less than the funds that are being required this afternoon, we're dealing with a budget of four and a half million dollars and we're passionate about certainly these acquisitions of property for land conservation.

But one that I'd like to present first on the list is one that we've been sort of passionately fighting for in the acquisition for over a two year period, and that is the one that is numbered 005 on the corner of Barnum and 25A. It's a quarter of an acre parcel and about two-and-a-half years ago I was approached by a broker who presented it to the village for sale. It is zoned commercial. It is a small patch

piece on a very influential corner that has a lot of important traffic coming into it, and of course in our small community we sort of took a resolution to try to purchase it. And on our own we had appraisals done and the appraisals came in in the amount of \$350,000. Then I was told that there were these programs available through Suffolk County, and obviously I applied for this one on the corner of 25A and Barnum. And with specific need to house. One of the things that we feel so passionately about is our little gray house which was built in the 1700's, it's 240 years old. It has been saved by the community and transported down Main Street with great fanfare through a grant that we acquired through the New York Community Trust. It's one of the original Row homes and I will have our historian in the Village comment on that later.

This, in its transport down Main Street, was then put into a banking situation and shrinkwrap by our local boat deal so that we could then find an appropriate spot to bring this little home because we felt clearly that this was an important piece. It's been documented as historically significant by Parks and Recreation and Preservation.

When the corner piece came about, the attitude of our community was to take our little gray house and to transport it and move again down to its new location, and in that location we would like to house some of the historical artifacts that we have collected as Port Jefferson has been very influential and the Setauket area and the Three Village area and the regional community and the revolutionary war effort. And to

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 establish somewhat of a museum and an information center to house again story telling for our children during these important documenting times where Mister --

CHAIRMAN BISHOP:
 Stop because there's just too much --

MAYOR GARANT:
 Going on.

CHAIRMAN BISHOP:
 -- going on.

MAYOR GARANT:
 There is a lot going on.

CHAIRMAN BISHOP:
 Okay.

MAYOR GARANT:
 So I'll continue my story, to house again the artifacts, to house the children's story telling time. And because we are the opening gate to

the North Shore Heritage Trail, we thought also it made an exceptional welcoming center for the visitors who are coming in from Connecticut to document again not only history but information pertinent to our economic drive on the North Shore Heritage Trail.

It is an important aquisition. I guess it was turned down the first time because it didn't qualify under certain programs and reaching out --

LEG. FISHER:

The Greenways Active Parkland.

MAYOR GARANT:

That was the Active Parkland aquisition; thank you, Vivian. And what we did was then sort of collaborate with the Town of Brookhaven and ask them if they would participate with us 25%, they would then contribute 25% and we would approach the County one more time with this new partnership showing that we are indeed interested in cooperating with your efforts knowing that you have also limited budget surplus.

So there we are. We're here to plea our case for the acquisition of Barnum Avenue, 25A, one quarter piece. I do believe that it's being -- we have a site plan to share.

CHAIRMAN BISHOP:

The estimated County contribution would be what?

LEG. FISHER:

A hundred and somewhat thousand.

MAYOR GARANT:

That's correct, it seems like a very small amount.

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CHAIRMAN BISHOP:

Sir, you wish to speak?

MR. SISLER:

Yes, my name is Robert Sisler, I'm the Port Jefferson Village Historian, and the name is spelt S-I-S-L-E-R if you need to record it. And do you want an address?

CHAIRMAN BISHOP:

No.

MR. SISLER:

No, okay. The {Phillips} Roe House built in 1760 we figure is a very significant building in the Village and indeed on the Heritage Trail. Because Phillips Roe, who was a cousin to Nathan Hale who was the

first member of the Setauket Spiring, and we call it the Setauket Spiring bearing in mind that Port Jefferson at that time was still Setauket, it didn't become Port Jefferson until 1836.

So in any event, when Nathan Hale lost his life, gave his life for his country, his relatives, the Roe Family in Port Jefferson, became very concerned about the effort and all joined. Austin Roe was the courier, you know, he road on his horse from New York City to Port Jefferson once a week carrying messages with information that was picked up in the city from the British. And Washington, who was out-gunned and outmanned by the British, needed his spiring desperately became. So it became a very significant part of the effort.

Now, the Roe Family not only ran the messages but they delivered them to Mr. Brewster, Caleb Brewster who road them across the sound and delivered them to Benjamin Talmadge who in turn got them to Washington. They saved George Washington's life twice. They unmasked Benedict Arnold.

CHAIRMAN BISHOP:

This is about the house, though, right?

MR. SISLER:

And the house was Phillip Roe's house which is about 17 feet wide by 38 feet long is to be preserved on this site, and I'm just -- I just gave you a little background information about family.

CHAIRMAN BISHOP:

We're buying the land, right? Okay.

MAYOR GARANT:

Oh, let's buy the land. Yes, and there is a site plan or a foot print as to where it would be designated for visitor opportunity.

LEG. FISHER:

Nanette will be giving that out.

CHAIRMAN BISHOP:

Okay.

LEG. CRECCA:

Is this 25% the town and 25% the village?

MAYOR GARANT:

Yes.

CHAIRMAN BISHOP:

There are two resolutions, both speak to the same parcel?

LEG. FISHER:

No, the other one is a different parcel; 1785 is a different parcel than Port Jeff.

CHAIRMAN BISHOP:

Now you want to discuss 1785?

LEG. FISHER:

Yeah, that's 003 and 007, Jean.

MAYOR GARANT:

Yeah. I have the two resolutions before me, I didn't realize I'd make a presentation today but I'm glad to do it, because obviously these are the ones that we want to keep green.

One of them which I feel is very, very important is the one that's located with a quality protection component which is contiguous with our Mill Creek and we're making such efforts to restore it. We have got grants out to the State right now and they're very positive about it, and that's the one which is 25A. A flag lot which spreads out, it has a lot of fragmite on it, and really again zoned commercial. And in between the beat yard and also The Heritage Inn which is a motel. We'd like to acquire that because we feel it's significant in our mitigation of stormwater run off which we're really focusing on and also to preserve whatever we can around the creek area, very important.

CHAIRMAN BISHOP:

Yeah, it ranked very low. But that information seems to conflict with the ranking, because if it was doing --

LEG. FISHER:

Yes, because I believe when this committee looked at some aerals I think that the boat yard had encroached on it with some of its boats. Since then the boats have been pulled away from there and put back into -- the boat yard kind of over spilled itself with boats into --

CHAIRMAN BISHOP:

Does Planning have the new information?

MAYOR GARANT:

Yeah, I think what you had was the aerial view which was probably two years old or maybe a year where the boat yard was using it for storage and spilling over and renting the space from The Heritage Inn.

CHAIRMAN BISHOP:

And they have the information about it's a wetland habitat.

MAYOR GARANT:

It needs to be done, if you'd like I'll supply you with that because

this is one of the recommendations from our conservation environment council.

CHAIRMAN BISHOP:

Maybe it has a different ranking now when we hear from them later.

MAYOR GARANT:

Yeah, with the wetlands issue and the creek.

CHAIRMAN BISHOP:

Anything old there?

MAYOR GARANT:

Anything -- no, nothing on the property. No, this one is just green, and we'd like to keep it green of course.

CHAIRMAN BISHOP:

There is a question from Legislator --

LEG. FISHER:

Going back to 1907, this came before the Park Trustees because it's a multifaceted program and all of the ten trustees who represent the towns voted yes on this, okay? The only vote against it was from the County Executive's Office. My mike's not on? Oh, I wasn't close enough.

CHAIRMAN BISHOP:

I heard that.

LEG. FISHER:

Okay. But all of the trustees that represent the ten towns voted yes on it.

MAYOR GARANT:

This is the other aquisition which is facing Barnum Avenue and is contiguous with our caroline field, ball playing, active parkland. And our new walkway which is along the creek being fully restored and documented historically. So interpretive walkway linking in with this is token piece, a beautiful piece, it makes a complete picture.

MR. SISLER:

And the pond that we restored when I was a Trustee a couple of years back which had been a recycling depot, the pond was restored and it's really quite attractive.

CHAIRMAN BISHOP:

Very good. Legislator Crecca?

LEG. CRECCA:

I just wanted to ask, on the Barnum Property you said the town is going to contribute 25%?

MAYOR GARANT:
That's correct.

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LEG. CRECCA:
Is the village contributing or are we --

MAYOR GARANT:
Twenty-five percent.

LEG. CRECCA:
Okay, that's what I thought. Great.

MAYOR GARANT:
So you have a 50% participation with the County.

LEG. CRECCA:
I just want to commend the village on not just this property but everything you're doing there. It's a very active community and you --

MAYOR GARANT:
Are we alive?

LEG. CRECCA:
And the fact that are contributing to this and the town's contributing to it to me sends a clear message that this something you want and you're willing to commit.

MAYOR GARANT:
It's a true commitment and I know that our constituency is very -- absolutely supportive of this.

LEG. FISHER:
No, Ken LaValle.

LEG. CRECCA:
I meant it completely sincerely.

LEG. FISHER:
But it's close.

CHAIRMAN BISHOP:
Mayor, I just want to congratulate you and your predecessor and your village board for really making a huge difference in the way the village looks in 2002 compared to what it will look like just a decade ago.

MAYOR GARANT:
Thank you, Legislator Caracciolo. I am so pleased to hear that.

MR. SISLER:

It really began when I came in 1953.

MAYOR GARANT:

That makes me feel very old.

LEG. CARACCILOLO:

I was in the Village yesterday, my daughter and grandchildren went back by ferry and I frequented some of the shops for the first time in a long time and it's just -- and your Village Hall is something.

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MAYOR GARANT:

Isn't it wonderful? Well, you know we have the Governor there on Friday giving us another grant for our transportation -- intermodal funds for pedestrian. And I think Friday we've got another press conference with more money coming in. We are passionate about this village, as you can see. Thank you for your compliment.

LEG. CARACCILOLO:

It's a model for other villages and other towns to emulate.

MAYOR GARANT:

Thank you very much. Thank you.

LEG. FIELDS:

And, in addition, I might want to jump on this wagon and commend you for having towns and villages pay their share. So often towns come before us, they don't put a penny into acquisition of properties and it's really nice to see that there are some towns that will come forward and are willing to put up some money.

MAYOR GARANT:

Aren't we lucky that they are? And it's such a convincing, so nice to work with different elements of government. So this is a three-way collaboration with County, town and village showing that we support one another is the way it should be.

CHAIRMAN BISHOP:

Is that it?

MAYOR GARANT:

That's it. Thank you, sir.

CHAIRMAN BISHOP:

Okay, thank you very much.

LEG. FISHER:

Jean will be going to the CEQ meeting with me tomorrow morning as well, so she's really working hard on getting this done.

MAYOR GARANT:

All by myself it seems, but I'll be there with you through the end.
Thank you for your support, really.

LEG. FIELDS:
I'll be there.

CHAIRMAN BISHOP:

Exciting. All right, thank you. Is Eugene Murphy still with us. You see, Legislators, this is what you do, you're nice to your Mayors and they come to your meetings --

CHAIRMAN BISHOP:

You're the Acting Commissioner, Acting Director?

MR. MURPHY:

Good afternoon. It's a pleasure to be here. My name is Eugene Murphy,

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I am the Acting Commissioner of the Town of Islip Department of Planning Development and I'm here to speak in support of Resolution 1699 and 1834 which are resolutions to preserve two small but quite strategic parcels in the Orowoc Creek Watershed in the Hamlet of Islip.

The preservation is consistent with an ongoing policy which has resulted in County acquisition of approximately 12 acres of lands along about one-third segment of Orowoc Creek, both these properties adjoin those 12 acres. The program has been recommended in the Adopted Town of Islip Comprehensive Plan for Islip Hamlet. The environmental management policies in the plan recognize the potential to create mini greenbelts within the hamlet and decide from the plan. The development patterns that currently exist, residential land interspersed with under developed stream areas present an opportunity to preserve the streams and their drainage basins to benefit present and future generations. The five major streams, Awixa, Orowoc, Doxsee's Brook, Champlin and Connetquot are uniformly distributed throughout the planning area and does provide the amenities of open space near residential areas, habitat for wildlife and water quality maintenance for the majority of residents in the area.

Specifically in terms of the .42 acre parcel, the town has received an application to construct one single family house in conformance with zoning. Its preservation would also prevent the development of a paper street which would provide access to this, thereby increasing the preservation value beyond the County acquisition,

The second parcel, about 1.17 acres -- that's .17, not 17 acres -- is bounded on three sides by County property. Its acquisition would complete the preservation of land in that portion of the Orowoc watershed. For these reasons, we purge urge the passage of the

resolution.

CHAIRMAN BISHOP:

Which one is the .17 acre one?

MR. MURPHY:

The .17 acre is located on Maddox Avenue, one block north of -- I'm sorry, that is 1834.

CHAIRMAN BISHOP:

Okay. And .17, that's not a developable lot.

MR. MURPHY:

The zoning in that property, the zoning in that area is B zoning which allows -- and it's a sewerred area so it does allow development at basically one-sixth of an acre. So it is essentially in conformance with the character of the area for development, for one building lot.

CHAIRMAN BISHOP:

(Inaudible).

MR. MURPHY:

It's an older area zoned for fairly high density.

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LEG. FIELDS:

Jeanne, I've never seen you here before since I've been a Legislator. How come you're here on these two parcels?

MR. MURPHY:

The parcels are significant to us. We have been working on the implementation of the comprehensive plan in Islip Hamlet for a number of years. As I stated, the County over the years and -- this is a process that started really in the late 1970's.

LEG. FIELDS:

No, I'm just confused because I put in many parcels in the Town of Islip and I've never seen anybody from the Town of Islip Planning come and talk on any of those parcels.

MR. MURPHY:

Well, I've heard that this parcel was tabled. Typically -- obviously we work very closely with all the County Legislators. When it was tabled we wanted to be available to explain its importance to us.

LEG. FIELDS:

Is the town willing to pay any share towards these properties?

MR. MURPHY:

I think what's important about these two is that I believe there is --

the Town of Islip, as opposed to many other towns, does not really come very often for acquisition of properties and I believe that there is approximately \$5 million that in the formula that the Town of Islip has available.

LEG. FIELDS:

So you're committing money from the town?

MR. MURPHY:

No. Well, basically the \$5 million is from the quarter cent sales tax budget which is allocated to the Town of Islip on a prorated basis.

CHAIRMAN BISHOP:

What he's saying is that he wants --

MR. MURPHY:

To answer your question, there is no other direct town contribution, but certainly that fund is there for -- solely earmarked for Town of Islip properties.

CHAIRMAN BISHOP:

While I have you here, are you familiar with 1694, a resolution of Legislator Lindsay?

MR. MURPHY:

I was not familiar, I just became familiar with it today.

CHAIRMAN BISHOP:

All right, so there's no position from the town on that one?

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MR. MURPHY:

We consider it to be an environmentally important piece, certainly. The fact that it adjoins the San Souci Lakes, the fact that it joins {Fusco} Farm. We haven't evaluated it to the level we evaluated the other ones, I realize it's a large piece, a different piece.

CHAIRMAN BISHOP:

Right.

MR. MURPHY:

But in our opinion, certainly in terms of the Sunrise corridor study that was done in the 1980's, in terms of the presence of Sans Souci Lakes, and the adjoining to the Fusco Farm, it seems to be a reasonable --

CHAIRMAN BISHOP:

And while I have you here, the Bluepoint property, Bluepoint Farms?

MR. MURPHY:

Bluepoint is in the Town of Brookhaven, I don't believe --

CHAIRMAN BISHOP:

Oh, it's not in --

MR. MURPHY:

Not in our jurisdiction.

LEG. FIELDS:

That's in West Sayville.

MR. MURPHY:

Oh, the name happens to be Bluepoint.

CHAIRMAN BISHOP:

Right. It's in West Sayville, so that is Islip.

MR. MURPHY:

No, I'm not -- I wouldn't be prepared to speak on that.

CHAIRMAN BISHOP:

Okay.

MR. MURPHY:

Basically these two were tabled, we were involved --

CHAIRMAN BISHOP:

Thank you. I appreciate it. I think that's it. Thank you. Any questions? No.

LEG. CRECCA:

I have no questions. I would like to go to the video tape.

CHAIRMAN BISHOP:

Do we have any other members of the public who wish to be heard? All right, at this time I would ask that the department who usually sit before us come before us.

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CHAIRMAN BISHOP:

We will go through comments as we go through each resolution. Before we do that, since these resolutions seek to draw down from our funds, Mr. Burke, are you -- can you give us a synopsis of available funds in the Quarter Cent, Land Partnership Preservation; you know, the usual suspects.

MR. BURKE:

You want them in any particular order as far as --

COMMISSIONER ISLES:

We just do a summary of the overall.

LEG. CARACCILO:

Is it possible to get a copy?

LEG. FIELDS:

Just a summary is fine.

CHAIRMAN BISHOP:

What are you working off of, something that's --

COMMISSIONER ISLES:

Maybe I'll just give you an overview, but the -- obviously you know, many programs and permutations of where they are.

CHAIRMAN BISHOP:

Yeah, right.

COMMISSIONER ISLES:

But just to give you a synopsis on the big picture, we have 13 separate programs going right now including the Affordable Housing Program, a current available funds of \$66,255,000. Of that amount we have 8.9 million in contract and we have 16.9 million with accepted, recently accepted offers. So currently out of the 66 million we have in the bank at the moment, we've got about 25 million either in contract or recently accepted and on their way to contract.

CHAIRMAN BISHOP:

That leaves us 41.

COMMISSIONER ISLES:

Yes.

CHAIRMAN BISHOP:

But we're not counting the affordable housing so let's take that out.

COMMISSIONER ISLES:

That's five million, which actually take out three and a half million for that.

CHAIRMAN BISHOP:

So 38.

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COMMISSIONER ISLES:

Yes, 38 million available. Now, obviously there are parcels that are --

CHAIRMAN BISHOP:

What about the borrowing of the EFC?

COMMISSIONER ISLES:

The Legislature approved that, the County Executive signed it. The

Planning Department submitted an application in May of this year to the EFC after the initial listing was approved last year. That application is under review by EFC and we expect a final determination in October at which time we would then soon thereafter be able to access that. The amount of that as authorized by the Legislature was \$62 million, 41 in open space and 21 in Farmland Development Rights acquisitions.

CHAIRMAN BISHOP:

Okay, that's a good synopsis.

LEG. FIELDS:

Are we getting --

LEG. CARACCILOLO:

Can we have a copy of that, Tom, please?

COMMISSIONER ISLES:

We'll get it to all members.

LEG. FIELDS:

On the 62 million, Tom --

COMMISSIONER ISLES:

Yes.

LEG. FIELDS:

-- we applied for it, are we guaranteed that in October they're going to say yes, you can have the 62?

CHAIRMAN BISHOP:

There are no guarantees.

COMMISSIONER ISLES:

No, there's not a guarantee. We met with EFC about two weeks ago and -- there's no guarantee. We did meet with EFC two weeks ago to iron out some final requirements that they need from us which we're providing, but all signs are that they're positive on it. The only thing I will tell you is that the farmland portion of it is a new game, in a sense, they have never done that before. And so in terms of working that part out of it, I think that still has some work to be done to it. The open space for groundwater, surface water protection seems to be pretty good, we'll know for sure in October.

LEG. FIELDS:

How much -- did we break it down to how much we wanted to put into farmland protection?

COMMISSIONER ISLES:

Yes, we did.

LEG. FIELDS:

How much was that?

COMMISSIONER ISLES:

It's like 21 million out of the 62 is for Farmland Development Rights acquisitions.

LEG. FIELDS:

So that would leave 41 and we then have 38 in our own left.

COMMISSIONER ISLES:

Right.

LEG. FIELDS:

And if they agreed in October to the 41 or the 62, do you have any idea what we would be looking for or looking toward as far as dates when we could draw from that money?

COMMISSIONER ISLES:

We could start drawing almost immediately from that point, so that's when we were allowed to start, so I would say maybe November we can start doing it. I think it's going to be a function of actually when we do it in terms of the spending of the current funds we have before we go to those funds.

LEG. FIELDS:

And then one more question. When we were having the preliminary meetings that Legislator Caracciolo had, I think that there may have been a question that you can apply for a certain amount -- and not withstanding the 21 that's questionable for farmland, whether they're going to agree to that or not -- but was there not a determination that even though you apply for a certain amount you don't always get what you apply for, or was it that -- if let's say they take away the 21 or let's say they say yes to all the 62, are you guaranteed to get the 62 or do they say, "Well, we're not sure we have 62 but this is how much we can give you because all of the other areas in the State have been asking for it and we have to give them money."

COMMISSIONER ISLES:

What I've been told by EFC is that once we get passed this next stage in October, we are then eligible or permitted to apply for drafts.

And basically what we do at that point is once we get a parcel into contract and we're getting ready to close, we then notify EFC, provide the certain documentation they need at that point, and I am told that within a period of about two weeks we'll actually have a check for the closing at that point. So that's how I've been told it's going to operate, I've never been told that once we get passed the October date that there's a question or issue of whether we will or will not get the funds. Yes, as long as we meet the criteria, we have to demonstrate that with each parcel.

LEG. CARACCILOLO:

Tom, just --

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LEG. FIELDS:

Okay, that's very important to know because if you look at the agenda today, just of the few that we had speakers on we'd probably go right through the money without even looking at anything else.

LEG. CARACCILOLO:

Legislator Fields anticipated my question. Have we -- do you have a ball park figure of what's been introduced as request for either planning step or actual acquisitions? For example, the Huntington piece goes right to acquisition, no planning steps, go buy the property for \$3.6 million; I think that's another reason why I have a problem with that one, but that's another issue. I'm not going to let go of that one. But that said --

LEG. FIELDS:

You never do.

LEG. CARACCILOLO:

That said, you got 3.6 there, you've got something in excess of 10, 15 million in East Hampton perhaps, we have the KeySpan property in Riverhead, those are just -- I mean, that's already been approved; do we have the appraisal back on that, Tom, KeySpan?

COMMISSIONER ISLES:

No, I don't believe we do.

LEG. CARACCILOLO:

No, all right.

COMMISSIONER ISLES:

It's a large --

LEG. CARACCILOLO:

That's a 540 acre piece of property. We have Hubbard, we have a host of resolutions already approved plus what's been laid on the table. Do you have any -- can you give us a ball park of what you think might be out there, potential financial exposure? Because I think I know where Legislator Fields and Legislator Fisher would go and they may have a point and that is it time to reconsider SOS?

COMMISSIONER ISLES:

Well, in answer to that question do I have a number in terms of what's out there --

LEG. CARACCILOLO:

Hold it, Tom, I can't hear you. Go ahead.

COMMISSIONER ISLES:

Do I have a number that's out there? No, in terms of valuing up all the approved planning steps resolutions and authorizing resolutions. What I can tell you is that of the 38 million available that's not spoken for in contract or accepted offers and then the 41 million from EFC, we have about \$80 million then available in the next several months. In terms of what we have in negotiation at the time, it's about \$41 million. But let me caution or let me emphasize that what we have in negotiation, a fraction of that, which may be half or

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something like that, will actually materialize; we can send you copies of this and we will certainly do that immediately. There is a high attrition rate of negotiations and so there's always been an issue of some extent of over subscribing the program.

I will tell you also that the rate of acquisitions in the first half of this year was not very high, it was substantially below last year. We are seeing renewed interest in our programs legislatively as well, so I think what we're seeing today is reactivity and I think that's good in many respects. Just about all the resolutions, except for the one you mentioned, Mr. Caracciolo, are planning steps and so as they progress, as we get firm numbers in terms of the cost of the parcels, as we find out what partnerships may exist with municipalities and so forth, at that time we can certainly deliver to you more specific information.

LEG. CARACCILOLO:

Okay, let me be very direct then. Would you be in favor --

CHAIRMAN BISHOP:

You've got to shorten those answers.

LEG. CARACCILOLO:

Would you be in favor of us moving the resolution sponsored by Legislator Fisher -- I referred to it as SOS, it's Save our Open Space -- and I think the number escapes me, 30, 40, 50 million, the number changed, Legislator Fields cosponsored it and so forth. But I was not one of those who felt the need for piling on debt, but maybe with given where interest rates are, given where EFC financing is, I mean, we're probably down under 2%, right?

COMMISSIONER ISLES:

Right around there.

LEG. CARACCILOLO:

And basically they provide you with an interest free loan for 12 to 18 months.

COMMISSIONER ISLES:

Right.

LEG. CARACCIOLO:

You know, given all of those advantages, maybe it's time for this committee to reconsider --

LEG. FISHER:

You took the words right out of my mouth, Mike.

LEG. CARACCIOLO:

So would you be in favor of us moving that resolution?

COMMISSIONER ISLES:

At this time, no.

LEG. CARACCIOLO:

Okay. Can you tell us why?

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COMMISSIONER ISLES:

Certainly I think the question does beg itself, but at this time when this was initially proposed we're looking at the \$80 million we have available in the next several months to spend plus the 25 we have cooking right now in terms of contract. We've got over \$100 million to be expended by this County for the programs that you've structured and directed us to pursue. So at the present time, in terms of the operations of the Real Estate Department, the Planning Department and the Parks Department and so forth, we have got sufficient funds to purchase, you know, for the next -- probably a year at this point.

LEG. CARACCIOLO:

Would that include the request that we had speakers address us?

COMMISSIONER ISLES:

I believe so. And here again, I'm not going to put my life on that because we don't have the actual appraisals on those and so forth. But if you ask me off the cuff, my opinion at this time I think with the 100 million we have pending right now, our rate of acquisitions, historically the highest we've ever hit is about 50 million last year, so that would presumably take us two years, but if we do it faster maybe 18 months or so. Certainly does that need to be reconsidered in the future? Perhaps, but that's my opinion at this point in time, sir.

LEG. FISHER:

Mike, would you suffer an interruption?

LEG. CARACCIOLO:

In a moment. But it seems that you're playing catch-up rather quickly. You've got 25 committed, either in contract or in negotiations, if I

heard you correct earlier.

COMMISSIONER ISLES:

Well, in contract or accepted offers.

LEG. CARACCIOLO:

Right, so about 25 million, so that's -- you know, here we are in August and that's, you know, just a month or two behind where we would have been theoretically year-to-date a year ago if all things were equal; and I'm not saying they were but if they were. I think it was 52 million we spent last year. Would you anticipate -- what would you anticipate might be spent above that 25 million before year end?

LEG. FIELDS:

Can I interrupt for one second? What about the Pine Barrens bill that we just passed, how much money is that?

COMMISSIONER ISLES:

The Pine Barrens bill?

LEG. CARACCIOLO:

Isn't that the core area?

LEG. FIELDS:

Didn't we just pass a bill to appropriate --

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LEG. CARACCIOLO:

The core area, all those out parcels that were languishing for a long time.

MR. BURKE:

Authorizing the money that was in there?

LEG. CARACCIOLO:

Yes.

MR. BURKE:

That's included in Tom's presentation.

LEG. CARACCIOLO:

Oh, okay. So what would you anticipate on top of the 25 million might be doable before year end?

COMMISSIONER ISLES:

I can't give you an answer on that. I can try to estimate an answer for you.

LEG. CARACCIOLO:

An estimate, just an estimate. Do you think it would be another 25? Because then I think we can see your point that you don't see the need

to go out and bond, but then I think the sponsor would say, or at least I would say as a supporter, that we don't have to go out and borrow a cent until we need it, all this does is authorize another 30 million.

COMMISSIONER ISLES:

Keep in mind, the items we have in contract, you know, some of those are closed this year, some will not close till next year; I can think of one, the Hogan property, for example.

LEG. CARACCILOLO:

So under no circumstances at this juncture do you see a need for us to consider and move that resolution.

COMMISSIONER ISLES:

In my opinion and the information that I have at this time, no, I don't.

LEG. CARACCILOLO:

Okay.

LEG. FIELDS:

May I ask --

LEG. FISHER:

Mr. Chair, as a guest?

LEG. FIELDS:

Just quickly on the Pine Barrens question; how much did you factor in, into the total?

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COMMISSIONER ISLES:

I just want to make sure I understand your question. What is your question, I want to make sure I give you the right answer.

LEG. FIELDS:

When we said that we wanted you to get the left -- the balance of the Pine Barren core, how much money did you factor in to purchase those; is it 35 million, is it 70 million, what did you put in there ?

COMMISSIONER ISLES:

We have not factored in a number. What I think what Jim was referring to is that under the reconciliation of the old quarter percent money, additional funds were put towards Pine Barren town purchases of over \$7 million, that was a recent revenue drop into that account for that amount. As far as how much is it going to cost us, I will point out that under the Resolution 425-2002, the real estate acquisition procedures, we have to come back to you, the Legislature, for any acquisition in excess of a million so, number one, you should be aware of that. And also as we go through appropriations we have to come

back to you for that as we seek to tap into these funds.

LEG. FIELDS:

So then when I asked how much we have left and Legislator Caracciolo said what do you predict that you're going to use up, you have not factored in the amount that we need to do to kind of give the promise that we said we would continue to acquire the rest of those Pine Barrens, the Pine Barrens core, so that's not really factored in.

COMMISSIONER ISLES:

Well, the only extent that it's factored in are those items that are either in contract where there's accepted offers, of which we do have them within the Pine Barrens, or those that are in negotiations. So the numbers that I provided were the current status of the Real Estate division's activities. Going beyond that in terms of protecting what interest there might be in other parcels in the Pine Barrens, willing sellers and so forth, that's not part of these numbers. Here again, we did talk at the time of the Legislative meeting in April trying to estimate what that might be, and yes, upwards of 3,400 acres, upwards of \$70 million, but I don't think we anticipate that that's going to be all public acquisition, all County acquisition.

LEG. FIELDS:

But if we were to pass this, I believe it goes in for a referendum; am I correct, on the SOS? So if we didn't pass it today, then we have to wait a whole year before we could even consider looking for money. And next year with the rate of lands that are being developed, we could be in big trouble, you know, as far as trying to have the money to pay for something and we simply would not have the availability to tap into any funds because we wouldn't have them in 2004.

COMMISSIONER ISLES:

Well, that's going to be a judgment on your part I guess. But in terms of what you're comfortable with, all I can tell you is that, here again, we have about \$100 million considering the current deals and our historical high was 52 million as we just heard, that seems to me to be a pretty good amount at the present time. I'm not going to say

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whether we should or shouldn't move forward with the SOS, other than my opinion is that it seems like we are --

LEG. FIELDS:

Let me ask you a question, then, just a really quick one and then I'm not going to -- the Duke Property and the 511 Equities property and the Paumanok property, if we were to approve those today, and I know we've tabled some, but if we were to approve those today wouldn't we not go through the balance of the money that we have now?

COMMISSIONER ISLES:

No, because if we borrowed -- number one --

CHAIRMAN BISHOP:

No, either analysis -- you would do a big dent into the current --

COMMISSIONER ISLES:

Yeah, you would do a big dent, that's true. And then if the EFC comes forward then we have 41 --

LEG. FIELDS:

What I'm saying is you've -- I'm not saying on just the balance, I'm saying what you have 38, you have 38 left after you take away all the rest. So you have 38 left, you've got three major parcels not even taking in to consideration anything else on the agenda.

COMMISSIONER ISLES:

Right. But again, looking at the 41 million from EFC which we've been directed by the Legislature to seek and we expect to get starting in October or November, so having 80 million available.

LEG. FIELDS:

Thank you.

CHAIRMAN BISHOP:

All right, to the agenda.

LEG. FISHER:

Dave, you know I ask very quick questions.

CHAIRMAN BISHOP:

Oh, goodness gracious.

LEG. FISHER:

Just a very quick question. If we were to pass SOS this month there would be a referendum in November; when would that money become available to us? It would be close to 2004 by the time --

COMMISSIONER ISLES:

I don't know the answer to that question, I'd have to check with our budget office.

LEG. FISHER:

Okay. So -- how long would it take?

MR. SABATINO:

It would become available January 1st of 2003 by statute.

LEG. FISHER:

2003, it would, it would become available.

MR. SABATINO:

This initiative, but if you wait a year and pass it a year from now it won't become available until January 1st of 2004.

LEG. FISHER:

Okay, but we don't have to expend it -- we are not being charged interest on it in January of 2001.

MR. SABATINO:

No, it's only when you appropriate it, but you have to authorize it by the end of the year.

LEG. FISHER:

Only when we appropriate it, okay.

CHAIRMAN BISHOP:

Okay, move it along. To the agenda, everybody.

Introductory Prime Resolutions

1811-02 (P) - Making a SEQRA determination in connection with the proposed irrigation upgrade at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna).

LEG. CRECCA:

Let's go for it.

LEG. LINDSAY:

Mr. Chairman, could you take 1694 out of order, please?

LEG. CRECCA:

I'll make that motion to take it out of order.

CHAIRMAN BISHOP:

Okay, motion to take 1694 out of order by myself, second by Legislator Crecca. 1694 is now before us.

1694 (P) - Authorizing land acquisition under pay-as-you-go 1/4% Taxpayer Protection Program for land at Sans Souci Preserve, Town of Islip (SCTM Nos. 0500-238.00-02.00-002.000, 003.001, 003.002 and 004.000).

MR. SABATINO:

Page five.

LEG. LINDSAY:

If I may speak on this resolution. Terry is handing out a map of the four parcels involved in the planning steps that passed last year. Of the four parcels, they're owned by two different owners, Real Estate was able to negotiate a price for the two most northern parcels that

are outlined in white. The owner's name is Rimland, it accounts for 2.73 acres of a parcel that's a total of 9.8 acres, it borders Sunrise Highway, the service road which is the northern terminus of what we hope will eventually be all the Sans Souci Lake parkland. In between is active farmland that's owned by a man by the name of Fusco and we're -- Real Estate is talking to him now about that parcel as well. I know it didn't come in high on the ranking system, but I think it's a very important parcel for the Town of Islip and for western Suffolk County.

For those of you that are not familiar with San Souci Lakes, it goes all the way down to the bay really through a lake system. It's an extensive parcel of parkland that's owned by the County and the purchase before you now, there's 2.73 acres, several times the owner would love to build a shopping center there hasn't -- he hasn't been able to get all the approvals yet and what we're fearful for is if we don't acquire this property eventually he'll either get approval or else wind up suing the town to acquire this property. But that's my case for going forward with the purchase. This has been in -- I think we passed planning steps last September on these four parcels by two owners and this is the first of --

CHAIRMAN BISHOP:

You're asking us to purchase which box here?

LEG. LINDSAY:

White. See the white line, the two parcels outlined in white?

CHAIRMAN BISHOP:

And the lower parcels which --

LEG. LINDSAY:

In between where it says Suffolk County parkland is --

CHAIRMAN BISHOP:

Yeah, what is that?

LEG. LINDSAY:

That's a strip of farmland.

CHAIRMAN BISHOP:

Oh, that's farmland.

LEG. LINDSAY:

Yeah, that's owned by a man by the name of Fusco which was in the original planning steps last year. Real Estate is still in negotiations with Fusco to complete the purchase and complete the San Souci Lakes acquisition.

CHAIRMAN BISHOP:

Isn't it so that Fusco parcel, the farmland is probably more affordable than the property right on Sunrise Highway?

LEG. LINDSAY:

Probably. Why one came through before the other, I have no idea.

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CHAIRMAN BISHOP:

Okay. Legislator Caracciolo?

LEG. LINDSAY:

Other than we have a willing seller with Rimland.

CHAIRMAN BISHOP:

A willing seller at this time.

LEG. CARACCIOLO:

Okay, to the Planning Department. Who is the property owner of record, who is Rimland?

CHAIRMAN BISHOP:

He is who he is.

MR. BURKE:

Yeah, that's all I know about him.

CHAIRMAN BISHOP:

Jeffrey Rimland.

LEG. CARACCIOLO:

Do we know who Rimland (sic) is; is that the person's name, a corporation?

MR. BURKE:

I believe his name is Jeffrey.

LEG. CARACCIOLO:

Oh, it is Jeffrey, okay. And when did Mr. Rimland (sic) purchase this property?

MR. BURKE:

I don't have -- I don't know.

LEG. CARACCIOLO:

Because I'm going to continue to raise the same questions; who, what, when, where and how. I don't want to be -- I don't want to see the County involved in a series of acquisitions -- and I'm not certain that that's the case here, Legislator Lindsay -- but I believe very strongly in consistency.

LEG. LINDSAY:

The only thing that I could say is Rimland must have owned the property for some time because there has been multiple applications

with the town to change the zoning on that corner. So he isn't flipping it, that's for sure, he's owned it for several years.

LEG. CARACCIOLO:

That's what I want to be assured of, I don't want to see the County in the business of purchasing properties that, for lack of a better expression here, some people refer to people who do this as land speculators. They buy a piece of land, they hold on to it for a short period of time, and then they want to sell it to the government

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because the government's got deep pockets and let the taxpayers, you know, make them huge profits.

COMMISSIONER ISLES:

Just quickly in terms of the history. Jeffrey Rimland is the owner of a chain of clothing stores that used to be known as Jeffrey's. I was with the Town of Islip when he was seeking to develop this property, the town of Islip took action on its own motion to rezone it from retail to office use. So the current zoning on the property is office and this happened years and years ago.

LEG. CARACCIOLO:

So the current zoning is office use.

COMMISSIONER ISLES:

Right, General Service D District which allows offices, funeral homes, things like that.

LEG. CARACCIOLO:

Okay. What about a shopping center?

COMMISSIONER ISLES:

No, it would not allow a shopping center.

LEG. CARACCIOLO:

Okay. Now, the property next door, Mr. Fusco, what is that zoned?

COMMISSIONER ISLES:

I believe that's zoned residential. That also had a portion of its own business and the Town of Islip rezoned the portion from business to residential.

LEG. CARACCIOLO:

From a planning perspective, does the preservation of the Rimland property enhance the value of the Fusco piece? Because then Mr. Fusco is going to come back and say, "Yeah, now I'm interested in selling but I want X amount of dollars more."

CHAIRMAN BISHOP:

No, he diminishes it because he doesn't have Sunrise Highway and --

COMMISSIONER ISLES:

I'm not really sure if it would increase or decrease the value. It would depend on what Fusco is going to do with his property.

LEG. CARACCIOLO:

If the County were to acquire, though, in terms of negotiations under way with Mr. Fusco, is that under the PDR program or which program?

COMMISSIONER ISLES:

I think presently it's under the Open Space Program. I think the PDR is something Jim and I have talked about, with Legislator Lindsay I think it's a possibility, you know, if he was -- as a farmland piece it's a possibility.

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LEG. CARACCIOLO:

All right. Legislator Lindsay stated that the Sans Souci Lakes property goes all the way to the bay from Sunrise Highway. How many acres is involved -- because I could consider support for this acquisition if it's part of a very large Greenbelt and we accomplish what should be one of our primary goals. How many other acres are involved in Sans Souci that this compliments?

COMMISSIONER ISLES:

Ms. Fisher is delivering a map to you that shows an overall aerial photograph of Sans Souci or the Browns River corridor. Sunrise Highway extends along the top part of the map, the subject parcel is outlined in yellow and the other --

LEG. CARACCIOLO:

We're talking multiples of tens of acres, right?

COMMISSIONER ISLES:

We're talking about hundreds of acres actually in this case. I would say probably --

LEG. CARACCIOLO:

So from that vantage point, I can see where this acquisition would compliment an existing large holding of preserved property. And Bill, just so you know because I know you're not a member of the committee, I like to be very consistent. And it's nothing ever personal with me, it's just that I think all of us have a very serious responsibility, given what happened, to make sure that we do our due diligence before we sign-off on acquisitions. And I would just continue to encourage everybody to do that so that we can't be criticized for doing this for you and that for somebody else and so forth.

LEG. FIELDS:

Tom, why was --

LEG. LINDSAY:

Could I just answer that? Ginny, I'm sorry, could I just answer that. I appreciate your comments and I agree with you a hundred percent, but you're not doing this for me, you're doing it for the residents of Suffolk County.

LEG. FIELDS:

Tom, when you do the ranking, what was the ranking on this?

COMMISSIONER ISLES:

We ranked this one, based on the criteria adopted by the Legislature, as 30.

LEG. FIELDS:

Thirty out of a hundred?

COMMISSIONER ISLES:

Yeah, the scale goes actually from zero to 110, I always thought it was a hundred but it's 110; 25 is typically considered the recommended threshold.

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LEG. FIELDS:

And what would be the reason that this did not get a higher ranking?

COMMISSIONER ISLES:

Number one, it's relatively on the small size. If you get over 10 acres you get extra points, if you get over 50 acres you get more points. I mean, typically the County tries to buy larger parcels. The fact that it's adjacent to County land obviously does help it. It would have gotten higher if it had other, let's say, wetlands on site, the wetlands are actually off-site as it drains into the Sans Souci basin.

LEG. FIELDS:

If we were to acquire the farm, would it have gotten more points?

COMMISSIONER ISLES:

Well, they have been, you know, opposed separately. Yeah, actually it would have if they were combined because --

LEG. FIELDS:

I was going to say, though --

COMMISSIONER ISLES:

-- the farm is over seven acres.

LEG. FIELDS:

When it's contiguous to something do you get an extra -- if it's contiguous to County-owned property.

COMMISSIONER ISLES:
You get five points for that.

LEG. FIELDS:
So it would possibly elevate if we were to buy the Fusco Farm.

COMMISSIONER ISLES:
Yeah.

LEG. CARACCILOLO:
It is now with this acquisition it would be contiguous would to very large County, on the other hand parcels right next door.

MS. FISCHER:
It is already taken in.

LEG. FIELDS:
Oh, that's taken into the ranking already?

COMMISSIONER ISLES:
Did you put it over ten acres, though, combined?

MS. FISCHER:
It would take it over.

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COMMISSIONER ISLES:
If you were to look at it that way. There are two separate owners but, you know.

LEG. FIELDS:
I see what you're saying.

COMMISSIONER ISLES:
That might get you a little bit higher, then.

LEG. FIELDS:
Thank you.

LEG. CRECCA:
Let's vote on it, please. Motion to approve.

CHAIRMAN BISHOP:
The resolution is now before us. Motion by Legislator Crecca, second by myself. All in favor? Opposed? The resolution is approved (VOTE: 5-0-0-0).

LEG. CRECCA:
Your patience paid off, Legislator Lindsay.

LEG. FISHER:

Mr. Chair?

CHAIRMAN BISHOP:

Why don't we take the East Hampton ones out of -- well, Port Jefferson, we'll take Port Jefferson out of order.

LEG. FISHER:

I think they're quicker.

CHAIRMAN BISHOP:

Give me the numbers.

LEG. FISHER:

1907 and 1785.

CHAIRMAN BISHOP:

1907-02 (P) - Approving acquisition under Suffolk County Multifaceted Land Preservation Program (Barnum Avenue Property) (Town of Brookhaven) (Fisher).

LEG. CRECCA:

Motion to approve.

LEG. COOPER:

Second.

LEG. FIELDS:

Second.

LEG. CRECCA:

That's the Barnum property.

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CHAIRMAN BISHOP:

That's Barnum, that's the one --

LEG. CRECCA:

With the little gray house.

CHAIRMAN BISHOP:

With the little gray house, right, okay. There's a motion having been made and seconded. All in favor? Opposed?

LEG. CARACCILO:

On the motion.

COMMISSIONER ISLES:

Just to make a brief comment. Certainly, Legislator Fisher has been tireless in her support and drive on this one. We see many attributes to it but I just want to put on the record in terms of it is a little unusual in terms of its size. We understand the location --

CHAIRMAN BISHOP:

Is the County Executive opposing it?

COMMISSIONER ISLES:

Pardon me?

CHAIRMAN BISHOP:

Is the County Executive opposing it?

COMMISSIONER ISLES:

The County Executive's Office or the County Executive would like to express concern in terms of the size of the parcel and the fact that it's part of the Land Preservation Partnership Program.

CHAIRMAN BISHOP:

Is he opposing it or supporting it? You're interrupting the flow.

COMMISSIONER ISLES:

No, we would not --

CHAIRMAN BISHOP:

So then don't interrupt.

COMMISSIONER ISLES:

Okay.

CHAIRMAN BISHOP:

Let's go. A motion has been made and seconded. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

Okay, now the next one. I'm sorry, I'm being a bully.

1785-02 (P) - Authorizing planning steps for acquisition under Water Quality Protection component of the 1/4% Drinking Water Protection Program (Property at West Broadway and Barnum Avenue, Port Jefferson Village, SCTM No. 0206-012.00-06.00-003.000 and 007.000) (Fisher).

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LEG. CRECCA:

I don't have that one.

CHAIRMAN BISHOP:

You can't have your cake and eat it too at this committee. This is one that's not on the agenda, it should have been --

MR. SABATINO:

It was tabled.

CHAIRMAN BISHOP:

It was tabled at the last meeting. This one is a hundred percent

County funded; is that correct?

LEG. FISHER:

Yes.

CHAIRMAN BISHOP:

And it's one acre.

LEG. FIELDS:

One point eight.

CHAIRMAN BISHOP:

One point eight acre, 4.08 rather. Oh, and point seven four, so it's 1.82.

LEG. CRECCA:

I have a question on -- I just looked at the resolution. Counsel, I notice that Invesco Affiliates, Ltd, the address is -- the address is where I maintain private law offices, it is a building with a number of suites. Do we have any other information about Investco Affiliates, just so I'm clear that there's no conflict?

MR. SABATINO:

We just incorporate what was forwarded to us, I don't have anything beyond that.

LEG. CRECCA:

Okay. I'm not -- just for the record, I'm not familiar with who this corporation or limited partnership -- whatever it is, I guess it's a corporation -- is, so.

LEG. FIELDS:

Do you know any of them?

LEG. CRECCA:

I know the owners of the properties at that location but I don't know who Invesco Affiliates is. And if they're in our building I've never seen a suite for them, it's probably a real estate holding company within another office in my building. I'm just concerned that I may know the owners, I'd have a personal relationship with the owners.

LEG. CARACCILOLO:

This is the Roe property? No. Which one is this, I'm confused.

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MR. BURKE:

This is the other two properties discussed earlier. The Rose piece is the corner lot.

CHAIRMAN BISHOP:

Did this get a ranking?

COMMISSIONER ISLES:

Yes, it did. We ranked this as 30.

LEG. CARACCIOLO:

Do we have the aerial on this?

COMMISSIONER ISLES:

Yes, we do.

LEG. FISHER:

Mike, this was the one that had the boats on it which shouldn't have been there.

LEG. CARACCIOLO:

Refresh my memory; did the boats disappear?

LEG. FISHER:

Yes, because they weren't supposed to be there.

LEG. CARACCIOLO:

It's like the one in Legislator Bishop's district with boats on it.

COMMISSIONER ISLES:

Yeah, that aerial is over a year old, it's April of 2001.

CHAIRMAN BISHOP:

It was called boat land.

LEG. CARACCIOLO:

Boat land. Which is which here?

LEG. FISHER:

It's these two parcels.

LEG. CARACCIOLO:

And what are all those white objects on that portion? Boats. And we're buying this for what purpose?

LEG. CRECCA:

To store boats; no, I'm kidding.

LEG. FISHER:

They're part of a creek, it's wetlands.

LEG. CARACCIOLO:

And the boats would be removed, or no one is going to continue to rent?

LEG. FISHER:

The boats shouldn't be there.

LEG. CRECCA:

They're not there now.

LEG. FISHER:

They have been removed.

LEG. CARACCIOLO:

All right. Let me hear from the Real Estate Department. The property we're looking at in this area, does the property contain boat storage?

MR. BURKE:

It does not.

LEG. CARACCIOLO:

It does not. Will it in the future?

MR. BURKE:

No.

LEG. CARACCIOLO:

What will be -- what will the property be used for?

MR. BURKE:

I think it's just an open space purchases as far as was proposed.

LEG. CARACCIOLO:

Okay. So it will be restored to its natural state. Is there any environmental damage to the property?

MR. BURKE:

We don't know that for sure at this point.

LEG. CARACCIOLO:

If there is, who's responsible for the clean-up?

CHAIRMAN BISHOP:

This is planning steps.

MR. BURKE:

This is planning steps, so we would do an environmental audit and if there is issues --

LEG. CARACCIOLO:

All right, this is just planning steps? Thank you very much.

COMMISSIONER ISLES:

I just want to note that Ms. Costigan will be handling this application for Real Estate. Mr. Burke is a resident of the Village and that's how it's going to be handled.

CHAIRMAN BISHOP:

You play golf with some discount, right, don't you get some access to

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the course or something? All right. So it's a planning steps resolution only. Is there a motion?

LEG. COOPER:

Motion.

LEG. FIELDS:

Motion, second.

CHAIRMAN BISHOP:

Motion by Legislator Cooper, second by Legislator Fields. All in favor? Opposed?

LEG. CARACCILOLO:

I'm going to abstain.

LEG. CRECCA:

I'm also abstaining but for different reasons.

CHAIRMAN BISHOP:

I'll make a motion to table till the next meeting.

LEG. CARACCILOLO:

I will second the motion to table.

CHAIRMAN BISHOP:

Motion to table till the next meeting, I want to look into this further. Second by Legislator Caracciolo. In favor? Opposed? That one is tabled, the other one is approved.

LEG. CRECCA:

Just so the record is clear, I'm abstaining on the tabling motion also.

CHAIRMAN BISHOP:

I understand. Tabled (VOTE: 4-0-1-0 Abstention: Legislator Crecca).

LEG. LINDSAY:

Mr. Chairman, if I could beg your indulgence again.

CHAIRMAN BISHOP:

You're here to torture us today.

LEG. LINDSAY:

Yes. I have a constituent in the office -- in the audience who signed a card who we did not call to testify.

CHAIRMAN BISHOP:

Right.

LEG. LINDSAY:

And she just grabbed me outside and I would appreciate it if you would take her comments.

CHAIRMAN BISHOP:

Lynne Sole. Why don't you use the podium, the standing podium. I

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think the people that you want to address are sitting here anyway, so it will work out.

MS. SOLE:

Hi. Is this on?

CHAIRMAN BISHOP:

Yes.

MS. SOLE:

Okay. My name is Lynne Sole. I've lived in Holbrook now for 13 years and when I bought my house, the people that owned it previously, they owned a big parcel of land, when their mother died they sold back or they gave back part of it to the County in back taxes to the town; that part of it held my cesspool which has been there for 40 years. And unbeknownst to me, the town auctioned it off and my cesspool was on that property.

LEG. FIELDS:

To the town or the County?

MS. SOLE:

The County, I'm sorry, the County auctioned it off. And when I had found out they were going to do this I called them up and asked if I could purchase it so that -- because, you know, I wanted it.

LEG. FIELDS:

It's your cesspool.

MS. SOLE:

It's as simple as that. I had my mother go there but it was called up on the block already and she didn't know it could be recalled; it just snowballed and snowballed. A man bought it, he purchased it, it's only 45 by 100, so it's not a buildable plot or anything. He then offered it to me for \$10,000 with my cesspool on it, when he acquired it for 1,500. He threatened me, I've been through it so many times, phone calls, harassments, I've had the police there, he cut the lines to my cesspool; this has gone on for three years now.

LEG. CRECCA:

Nice guy.

MS. SOLE:

I've been back and forth in court numerous amount of times, a lot of time spent.

LEG. CARACCIOLO:

I have a question. At the time the County --

LEG. FIELDS:

When did this happen though?

LEG. CARACCIOLO:

-- put this property up for auction, were you ever notified --

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MS. SOLE:

No, I wasn't.

LEG. CARACCIOLO:

-- that it was available?

MS. SOLE:

No. The only way I found out eventually is on the corner of the property they had put a sign, auction.

LEG. CARACCIOLO:

Something went array, maybe someone from Real Estate could respond. Because typically if we are going to auction off a piece of property and its value is these less than \$20,000, a solicitation is made of surrounding property owners, and I'd be curious to know if that happened in your case. You never received a notice from the County?

MS. SOLE:

No, I never received anything. As a matter of fact, I called --

LEG. CARACCIOLO:

Jim, do you have any recollection of that, could you check the file?

MR. BURKE:

I'll have to check the file but I have --

LEG. CARACCIOLO:

No, I realize you wouldn't know right now, but maybe you can check that out.

MR. BURKE:

Yeah, we can examine, find out -- I'll speak with Ms. Sole after the meeting.

MS. SOLE:

Yeah.

LEG. CARACCIOLO:

Okay. Then my question to Counsel would be what remedy would be available to the speaker?

LEG. FIELDS:

Well, can I just ask when this happened?

LEG. CARACCIOLO:

Three years ago.

MS. SOLE:

Yeah.

LEG. FIELDS:

It actually was auctioned three years ago.

MS. SOLE:

He purchased it October 20th, 1998.

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LEG. FIELDS:

Thank you.

MS. SOLE:

And --

LEG. CRECCA:

We closed the deal already?

MR. BURKE:

Four years ago, yeah.

LEG. CARACCIOLO:

Who is the purchaser?

MS. SOLE:

Mr. {Acpinar}, {Mamette Acpinar}. And I did go to the Dennison Building and found out that he has acquired numerous -- you were talking about speculators before; he has acquired a numerous amount of parcels in the town and I guess for whatever reason this is what he does.

LEG. CARACCIOLO:

Okay. Maybe we can have our Legislative Counsel give you some suggestion on what you might be able to do at this juncture or what we can do for you.

MS. SOLE:

Well, I will tell you that I have since gone to court and I was forced

into some type of settlement for it for my cesspool being on his property which I tried several times to work out with him but to no avail, and now I was forced into paying half to have the cesspool moved when my cesspool has been there 40 years. I have taken care of the land, I have lived there for almost 14 years now. I have taken care of it, I've --

CHAIRMAN BISHOP:

So it went to court and a judge made a decision, or you had a settlement?

MR. MILLER:

I am an attorney and I'm actually her brother, too.

CHAIRMAN BISHOP:

All right, come on up.

LEG. CARACCILOLO:

Yeah, just fill in the blanks for us.

MR. MILLER:

Yeah, I'll fill in the blanks. What happened was --

MS. MAHONEY:

Can you just state your name for the record, please.

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MS. SOLE:

Sorry.

LEG. CARACCILOLO:

You did well.

MR. MILLER:

My name is Scott Miller. And it did go to court, Mr. {Acpinar} brought a lawsuit to have the cesspool removed. What's happened is a decision was rendered on a summary judgment motion, the decision was only with regard to whether he would be awarded an injunctive relief which it was denied. Then it was decided that Ms. Sole had been there, used the cesspool adversely, openly, exclusively, notoriously and continuously for about 14 years.

MS. SOLE:

I have four kids.

MR. MILLER:

It was suggested that it would enter into some type of settlement. So in the -- it was a previous action, actually, in the Small Claims Court and the settlement suggested was half of the amount to remove the cesspool would be paid by Mrs. Sole and half by Ms. {Acpinar}, which we just recently agreed that maybe we'll agree to that

settlement at this point. However, the larger problem is that he still has the property, that he's buying these properties that are next to owners where --

CHAIRMAN BISHOP:

So you think it's part of a pattern, is that why --

MR. MILLER:

Yeah, it's a pattern.

CHAIRMAN BISHOP:

Okay.

MR. MILLER:

He can't build on it and what he does is he buys it at some low auction price and then he tries to sell it to adjacent owners at, you know, astronomical profit. And he doesn't take care of the property in the interim; the property is a mess, has poison ivy all over it. Since he took over the property, about two years ago he said to my sister, Mrs. Sole, he said, "Look, you can't take care of the property, you can't maintain it," etcetera, so she stopped doing that, but now it's just a mess and it's an eyesore to the neighborhood.

CHAIRMAN BISHOP:

So you're not here on your own parcel, you're here to prevent this from happening to others; is that --

MR. MILLER:

Both, on that parcel --

CHAIRMAN BISHOP:

What would you suggest on your own parcel?

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MR. MILLER:

Well, I don't know how it can -- whether it can be rescinded or what the story is with the County --

CHAIRMAN BISHOP:

No.

MR. MILLER:

-- if it wasn't properly noticed to all the parties that it should have been noticed to. So maybe it's a situation where --

CHAIRMAN BISHOP:

I think he has title, though, I don't think --

MR. MILLER:

Well, he has title as far as he got a bargain sale deed, I guess, for whatever title the County had. I don't even know if the County had

title in the fact that it was maintained for ten years continuously, openly, etcetera.

LEG. CARACCILOLO:

Would you know in the market what this property was worth three years ago?

MR. MILLER:

Truthfully I wouldn't know. I would imagine --

LEG. CARACCILOLO:

What's the size of the piece?

MR. MILLER:

I would imagine -- it's 45 by 100, but it's unbuildable.

LEG. CARACCILOLO:

In Holbrook.

MR. MILLER:

In Holbrook.

LEG. CARACCILOLO:

Not a buildable lot.

MR. MILLER:

Unbuildable, yeah.

CHAIRMAN BISHOP:

Why don't we do this. Who is -- Real Estate, can you get us a memo on this?

MR. BURKE:

Sure.

CHAIRMAN BISHOP:

You know, like what happened.

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MR. BURKE:

I'll give you a synopsis of it, sure.

CHAIRMAN BISHOP:

Okay. Get it to Legislator Lindsay.

LEG. LINDSAY:

The only thing that I thought is that if this guy is a frequent customer of ours at our auctions, you know, maybe we can talk to him and --

LEG. CRECCA:

Why don't we see --

LEG. LINDSAY:

-- bring him to reason somehow?

CHAIRMAN BISHOP:

Why don't we find out if there have been other complaints regarding -- you know, if there is a pattern. I mean, do you know of anybody else that this has happened to where he's purchased next door and then acted --

MS. SOLE:

Well, I was trying to resolve this whatever way I could. I went to the Dennison Building and they had looked up that, you know, he had bought several other parcels of land. The other thing I wanted to say is my cesspool has always been open and obvious, I said I had four kids, so it's always been -- I even made it known to him that the cesspool was there, you know, by standing on it, you know, showing him this is the cesspool.

CHAIRMAN BISHOP:

But did you get a ruling on adverse possession?

MR. MILLER:

I will give you that, the Judge in Suffolk County said that the defendants, and this is a quote from a decision, defendants being Mrs. Sole and her husband, proceeded to use the cesspool actually, openly adversely, etcetera, continuous to date. They didn't decide the issue, he didn't -- we didn't bring summary judgment, he brought the --

CHAIRMAN BISHOP:

Yeah, you were playing defense.

MR. MILLER:

Right, we just opposed the motion.

CHAIRMAN BISHOP:

Right.

MR. MILLER:

But in that opposition it was found by the judge in its decision that she had used it and maintained it openly and notoriously for the requisite number of years. But the bigger issue, as I said, I mean, that's our issue in that case plus our issue is whether or not, you

know, Suffolk County can be involved in a situation where this guy is speculating and whether notification was proper to the adjacent owners.

CHAIRMAN BISHOP:

There are two issues as I see it. One is the history of what occurred

here and, you know, if something extraordinary happened perhaps something extraordinary can occur now; in other words, if we didn't engage in proper notice, perhaps it's something we can do something about. Highly unlikely. The second issue is if it's part of a pattern then we should do something to address that and I don't know how we're going to find out if it's part of a pattern.

MR. MILLER:

Well, as my sister said, he's purchased other lands but I don't --

CHAIRMAN BISHOP:

I mean, I'm sure there's a pattern of purchasing land, the problem is there a pattern of purchasing land and then --

MR. MILLER:

Right, unbuildable land where --

CHAIRMAN BISHOP:

-- acting hostile to your neighbor and demanding money.

MR. MILLER:

Right.

MS. SOLE:

He also had it with Century 21 for a while showing it as a buildable plot and there were actually newlyweds coming looking at the parcel with my cesspool on it and I said to them, "Unless you want my cesspool in your living room," I said, you know, "I wouldn't advise" -- you know, it's kind of crazy, you know. But I also don't want this to happen to other people.

CHAIRMAN BISHOP:

Right.

MS. SOLE:

I mean, I have -- you know, I can voice myself but maybe somebody can't and gets, you know, afraid.

CHAIRMAN BISHOP:

So what we're going to have happen, Real Estate is going to do a report.

MR. BURKE:

I will keep in touch with Ms. Sole, I'll look at the file, review it.

CHAIRMAN BISHOP:

And let Legislator Lindsay know. And also find out if this man is some sort of --

Can I get the spelling of the name?

LEG. FIELDS:

Could you let us know, you know, next time if this man is purchasing a lot of land and if -- just give us a listing of how many parcels he's purchased.

MR. BURKE:

Okay.

MR. MILLER:

Thank you.

MS. SOLE:

Thank you very much.

CHAIRMAN BISHOP:

Thank you. I am sorry that I missed the card.

MS. SOLE:

No, that's okay. Thank you very much for your time.

CHAIRMAN BISHOP:

This is my poison ivy medication, so I'm sympathetic.

MS. SOLE:

Oh, and we have tons of it there. Thank you very much. Have a great day.

LEG. LINDSAY:

I'd like to thank the committee as well for hearing Mrs. Sole, even though you missed the card, he missed the cesspool.

LEG. CRECCA:

Can we take East Hampton out of order?

CHAIRMAN BISHOP:

All right, let's do East Hampton. Maybe you'll miss rush hour, you've been here so late.

LEG. CRECCA:

We still have a long way to go, with or without rush hour.

CHAIRMAN BISHOP:

You should get a town helicopter. You have a lot of money out there, maybe somebody will want to donate their helicopter.

SUPERVISOR SCHNEIDERMAN:

I think our last trip up here was for the helicopters.

CHAIRMAN BISHOP:

The problem is that Guldi will get to fly it. Where are we, what

number?

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COMMISSIONER SCULLY:
1898.

CHAIRMAN BISHOP:
The first one is 1898.

LEG. CRECCA:
I'll make a motion to take out of order.

CHAIRMAN BISHOP:
Motion to take out of order by Legislator Crecca, second by myself.
All in favor? Opposed? 1898 is now before us.

1898-02 (P) - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program (Duke Property - Town of East Hampton) (County Executive). Now, this is the one without a partnership?

LEG. CRECCA:
No, this is the one with the 50/50 partnership with the 12 million -- option to buy at \$12 million. I got this down pat now.

CHAIRMAN BISHOP:
A gambling town.

LEG. CRECCA:
I just want to make it clear before we vote on this, Mr. Chairman, that this is a planning step --

CHAIRMAN BISHOP:
You're a Duke?

LEG. CRECCA:
Yeah, I'm a Duke. There is planning -- yeah, but I'm not -- I'm a Duke and I'm not abstaining, how's that? It's planning steps only. I just want the town to be aware that even if we do go forward with this, there is still a -- a very strong possibility that we will not -- please don't take that as an absolute that we're going to spend \$6 million if it's appraised at 12 million. It is a planning steps only so that we can take it a step further and move forward. And I would encourage the town to continue to push the State and maybe we can have a three level acquisition here, that would certainly make it more palatable and affordable for both you and for us.

CHAIRMAN BISHOP:
Well said, that's exactly my sentiment.

LEG. CRECCA:

The big caveat on this vote.

CHAIRMAN BISHOP:

Motion to approve by myself, second by Legislator Crecca. All in favor? Opposed? It's approved for planning steps (VOTE: 5-0-0-0).

COUNCILWOMAN WEIR:

Thank you.

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CHAIRMAN BISHOP:

The next one is 1900?

LEG. CRECCA:

Yes.

CHAIRMAN BISHOP:

1900-02 (P) - Authorizing planning steps for the acquisition of land under the Suffolk County Drinking Water Protection Program (511 Equities/Town of East Hampton) (County Executive). Now, this one we are the sole purchaser? Don't you want to have a partnership?

COUNCILWOMAN WEIR:

We purchased the one next to it without you, we were going to do that together, it's kind of the same thing.

CHAIRMAN BISHOP:

Planning steps only, right?

LEG. CRECCA:

That it is.

COUNCILWOMAN WEIR:

Thank you

CHAIRMAN BISHOP:

Question?

LEG. CARACCILOLO:

Yes. 511 Equities, that sounds familiar; Pine Barrens?

COMMISSIONER ISLES:

We have Mr. Burke with us today. We have purchased other properties, by the way.

LEG. CARACCILOLO:

Who is 511 Equities?

MR. BURKE:

I don't know who he exactly is. I know that we have purchased property

from him under the Greenways --

LEG. FIELDS:

Jim, could you talk into the microphone for us, please?

MR. BURKE:

A number of years ago we made a large purchase of property under owners 511 Equities under the Greenways Open Space Program, about three years ago; that might be why you remember the name.

LEG. CARACCIOLO:

It was a large --

MR. BURKE:

In Montauk.

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LEG. CARACCIOLO:

A large block of properties, Southampton was it?

MR. BURKE:

East Hampton, Montauk Peninsula.

COMMISSIONER SCULLY:

213 acres.

MR. BURKE:

One hundred.

COUNCILWOMAN WEIR:

This is the big County block that would finish it off plus what we bought in the middle with our money.

LEG. CARACCIOLO:

Right, so this one would be a County acquisition in its entirety.

MR. BURKE:

As was the other one, subdivision.

CHAIRMAN BISHOP:

But you are --

LEG. CARACCIOLO:

No, but I'm saying the other one, the Duke property is a partnership.

MR. BURKE:

Yes.

MR. SABATINO:

No.

LEG. CARACCILO:
Duke is a partnership.

MR. SABATINO:
Not in the resolution.

LEG. CARACCILO:
Is it or isn't it; Supervisor?

COUNCILWOMAN WEIR:
Yes, yes.

LEG. CARACCILO:
I thought I heard you say earlier --

SUPERVISOR SCHNEIDERMAN:
Yes, Duke is a partnership.

LEG. CARACCILO:
Okay.

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CHAIRMAN BISHOP:
It's planning steps only, it doesn't matter what it says in the resolution.

MR. SABATINO:
Yes, it does matter what it says.

LEG. CARACCILO:
Well, that's why I raised --

MR. SABATINO:
When we do the resolutions and they're partnerships for planning steps it says there's a partnership for planning steps. This is a hundred percent County funding.

CHAIRMAN BISHOP:
Of the planning steps.

MR. SABATINO:
Planning steps resolutions, if they're starting off as a partnership --

CHAIRMAN BISHOP:
Counsel, is it not true if you pass a resolution that says planning steps under program A and --

MR. SABATINO:
You can convert it later.

CHAIRMAN BISHOP:

Of course.

MR. SABATINO:

But on day one, today when you're voting you're not voting on a partnership you're voting on a hundred percent County planning steps resolution. Each of you Legislators when you file bills are held to that standard; when you want to do a partnership you're putting partnership language in the resolutions.

LEG. CRECCA:

Yeah, but we can convert this later on if we choose to.

MR. SABATINO:

Absolutely, but it's just --

CHAIRMAN BISHOP:

And we're not going to approve it without a partnership.

MR. SABATINO:

But in fairness to Mr. Burke, he was correcting the record to make it accurate --

CHAIRMAN BISHOP:

We're not attacking Mr. Burke.

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MR. SABATINO:

-- that it's a hundred percent planning steps resolution.

LEG. CARACCILOLO:

All right. Then I would like to reconsider my vote on that resolution because I think Counsel -- we did vote on Duke; didn't we vote on Duke?

MR. BURKE:

What has happened in other matters that we've used, we bought 50% of the property with quarter percent monies and then a town has put it so we -- in effect, the partnership, even though it's not in the land preservation fund --

LEG. CARACCILOLO:

Well, then the question is to Real Estate and Planning, do you have a preference that we have just voted on a resolution with 1005 County contribution but there's an understanding, there's a commitment, there's a representation by the town that if and when Duke is to be consummated by virtue of an agreed upon contract price, willing seller and all of the other criteria, that the town will come forward with 50% of the funding; do you have any problem with the way the resolution that was approved was done or would you agree with Counsel?

COMMISSIONER ISLES:

No, I don't have a problem with it, especially that we had the Supervisor and the Town Board members here today to express that to us. And I note also that the resolution stated that the County will purchase -- "is authorized to purchase full or a lesser interest," is often the language that we are directed. And that certainly we'll speak to the County Attorney about the final resolution for authorization if this goes forward to clarify that point.

LEG. CARACCILOLO:

It doesn't matter to you. Supervisor Schneiderman has made it very clear as well as the Town Board members that it would be a 50% town contribution. So unless, Counsel, there's some legal prohibition in approving the resolution as it was approved --

MR. SABATINO:

No, there's no legal prohibition.

LEG. CARACCILOLO:

There is none, okay.

MR. SABATINO:

There's no legal prohibition, it was just Mr. Burke was correcting the record, I want to correct the record. It's a planning steps resolution at a hundred percent County funding. Later on you may convert and switch but, for example, you made the point on a resolution earlier today that started off as a 50/50 and it wound up 80/20.

CHAIRMAN BISHOP:

One of the values of the reforms that we undertook last year is that when it's -- before the checks are written it has to come back for another vote and that's when you'll figure out what program this is

going to be assigned to and it will be revealed what the extent of the partnership is. Technically -- it's my belief that we shouldn't even identify the programs at this stage, we should have a fund for planning steps and just do planning steps on all these parcels and then we wouldn't have these problems. Anyway --

LEG. FIELDS:

I would like to ask the Chairman, rather than revisiting this and revoting it and tabling it to correct it, which I'd actually like to do because we have tabled a number of other bills because they weren't under the right program, and if we're going to do things right we should do them right all the time. And, you know, I would just voice my concern that it's not proper protocol to switch it on one and not switch it on the other and, you know, it just allows that kind of a willy-nilly factor on part of our committee. So I would ask either that we revisit this and table it till it appears with a partnership

so that we can vote on it as it is stated, I don't know how the rest of the committee feels.

LEG. CRECCA:
Mr. Isles?

COMMISSIONER ISLES:

If I could just say with all due respect that we wouldn't suggest a change in the program. It's still Quarter Percent, it's similar to the Damn Pond acquisition in Southold that was done recently with the Town of Southold and so I don't think that that would be --

CHAIRMAN BISHOP:

So it's not going to be changed to Land Partnership Preservation, it's a partnership --

COMMISSIONER ISLES:

No, it's not going to come in under Multifaceted because we don't have enough money in that program to do it under this. And I think the other point to make, too, as was testified earlier today is that whether we like it or not there is a time frame here where the town is stretched out and purchased an option. For us to complete this deal by the winter of February or March, whatever the deadline is, we have to get going pretty darn fast on an appraisal and it's going to be a very tight time frame. So I'd just like you to consider that if you're going to consider tabling it.

LEG. CARACCILO:

Tom, I would just point out that Dam Pond was a land partnership from the beginning -- it was not, Jim?

COMMISSIONER ISLES:

Well, we did use Quarter percent.

LEG. CARACCILO:

No, I understand that. But, I mean, there was -- there was a clear intent identified in the resolution from day one that the town was a 505 partner.

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MR. BURKE:

Yes.

LEG. CARACCILO:

And that's what this resolution lacks, that's the point Counsel makes.

LEG. CRECCA:

I think the record is clear, though, as to what the intent is and I'd like to leave the motion where it is.

CHAIRMAN BISHOP:

What we need in the future is another WHEREAS clause which will articulate that even though it's from the quarter cent it may have a town contribution, in which case it's functioning as a partnership even though it's not under a, quote, partnership program.

LEG. CRECCA:

All right, I think we have 1900 before us, Mr. Chairman, at this time.

CHAIRMAN BISHOP:

Now 1900 is before us. This is not a partnership.

LEG. CRECCA:

No, it's not, it is a planning steps resolution.

CHAIRMAN BISHOP:

Planning steps. It may be in peril if there is no partnership later on.

LEG. CRECCA:

Correct. But at this time I would move to approve this resolution so that we can undertake a full evaluation of the site.

CHAIRMAN BISHOP:

I'll second it. All in favor? Opposed?

LEG. CARACCILOLO:

I abstain.

CHAIRMAN BISHOP:

Abstention. It's approved, okay (VOTE: 3-0-1-1 Abstention: Legislator Caracciolo - Not Present: Legislator Cooper). Okay, East Hampton is done. Back to the top of the agenda.

SUPERVISOR SCHNEIDERMAN:

Thank you.

COUNCILWOMAN WEIR:

Thank you.

CHAIRMAN BISHOP:

Wow, these summer breaks are brutal in this committee, huh?

1811-02 (P) - Making a SEQRA determination in connection with the proposed irrigation upgrade at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion.

LEG. CRECCA:

Second.

CHAIRMAN BISHOP:

Motion by myself, second by Legislator Crecca.

MR. TURNER:

I filled out a card also at the beginning to talk about 1899 the Roseland resolution.

CHAIRMAN BISHOP:

There was a point where I said is there anybody else from the public who wishes to be heard.

MR. TURNER:

I apologize, I've been getting copies of the resolution.

CHAIRMAN BISHOP:

Nobody heard me?

LEG. CARACCILOLO:

I heard you.

MR. TURNER:

I apologize, I didn't hear you.

CHAIRMAN BISHOP:

It's all right. Hold off, when we get to it we'll see if it's necessary.

1811 -- we have to get some movement here, 1811 is in traction. SEQRA determination, Bergen Point. What's the designation?

MR. SABATINO:

Type II.

CHAIRMAN BISHOP:

Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1812-02 (P) - Making a SEQRA determination in connection with the proposed installation of a pump station at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1813-02 (P) - Making a SEQRA determination in connection with the proposed planning and construction of a new arson building, Town of Brookhaven (CP3414) (Presiding Officer Tonna). Now, the -- this is Type II, no impact?

MR. SABATINO:

Type II because it's less than 4,000 square feet, it's a particular category.

LEG. CRECCA:

Motion.

LEG. FIELDS:

Second.

CHAIRMAN BISHOP:

Motion by Legislator Crecca, second by Legislator Fields. All in favor? Opposed? I'll abstain. Approved (VOTE: 4-0-1-0 Abstention: Legislator Bishop).

1814-02 (P) - Making a SEQRA determination in connection with the proposed installation of a portable bathroom at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, I'm very proud to make that, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

LEG. CRECCA:

I'd like to just ask if we could name the portable bathroom after Legislator Bishop, that would be good.

CHAIRMAN BISHOP:

You may.

1815-02 (P) - Making a SEQRA determination in connection with the proposed car bar renovations at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1816-02 (P) - Making a SEQRA determination in connection with the proposed Clubhouse renovations at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna).

LEG. CARACCILOLO:

On the motion.

CHAIRMAN BISHOP:

On the motion.

LEG. CARACCILOLO:

Commissioner Scully, under the agreement with -- who's the vendor?

COMMISSIONER SCULLY:

Global Golf.

LEG. CARACCILOLO:

Global Golf.

CHAIRMAN BISHOP:

I don't think they have that --

LEG. CARACCILOLO:

Do they -- are they responsible for the clubhouse?

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COMMISSIONER SCULLY:

Yes, they are.

LEG. CARACCILOLO:

Okay. So this is SEQRA determination where the licensee will be making improvements to the clubhouse?

COMMISSIONER SCULLY:

That's correct.

LEG. CARACCILOLO:

Okay. And what is the nature and expense associated with that?

COMMISSIONER SCULLY:

There are ten SEQRA resolutions on today's agenda which pertain to the resolution we discussed earlier which I guess we'll be discussing the substance of in the next Legislative cycle and we look forward to that. Ed Matthews, the former Golf Course Parks Superintendent, basically analyzed each and every one of the golf courses, as you well know, based on our work at Indian Island, and put together a recommended plan of action for Bergen Point and we've convinced Global to undertake improvements estimated at just under a million dollars which include investment in facilities and the course itself.

With regard to the improvements to the clubhouse, I can describe those for you. Basically we're talking about improvements to the interior and the installation of some partitions to allow individual party rooms for use by users of the catering facility, things of that nature, improvements to siding and things of that nature.

LEG. CARACCILOLO:

Has Global Golf have the concession for the catering, the catering concession there?

COMMISSIONER SCULLY:

Yes, they have.

LEG. CARACCILOLO:

Okay. I did request, and I haven't received it, a copy of the extension agreement with Global Golf beyond the initial term, because he's now in the first of five -- I think we're two extensions, five year extensions.

COMMISSIONER SCULLY:

The original license agreement consisted of a ten year initial term and two five year option periods at the discretion of the licensee.

The initial ten year term extends through 12/31/02.

LEG. CARACCILO:
This year.

COMMISSIONER SCULLY:
Yes.

LEG. CARACCILO:
Have you executed an extension agreement yet?

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COMMISSIONER SCULLY:
No, we haven't.

LEG. CARACCILO:
Okay. So if you can provide me with a copy of the original agreement I'd would appreciate it.

COMMISSIONER SCULLY:
Very good.

LEG. CARACCILO:
Thank you.

CHAIRMAN BISHOP:
Okay, this is on SEQRA. Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1817-02 (P) - Making a SEQRA determination in connection with the proposed equipment purchase for Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by Legislator Crecca, second by myself. Approved (VOTE: 5-0-0-0).

1818-02 (P) - Making a SEQRA determination in connection with the proposed dedication of the former Bulk Nursery Land to the Suffolk County Nature Preserve at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. Approved (VOTE: 5-0-0-0).

1819-02 (P) - Making a SEQRA determination in connection with the proposed change in occupant at Bulk Nursery Office Building at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. All in favor? Opposed?

LEG. CARACCILO:
Abstain.

CHAIRMAN BISHOP:
Abstention by Legislator Caracciolo. Approved (VOTE: 5-0-0-0).

1820-02 (P) - Making a SEQRA determination in connection with the proposed planning phase only of the demolition of the Old Cooperative Extension Building, Griffing Avenue, Town of Riverhead (CP 1768) (Presiding Officer Tonna).

LEG. CRECCA:
Motion.

LEG. CARACCILOLO:
Second.

CHAIRMAN BISHOP:
What is the SEQRA determination? Oh, planning phase only, I got it. Okay, motion by Legislator Caracciolo, second by Legislator Cooper. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

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1821-02 (P) - Making a SEQRA determination in connection with the proposed planning and construction of an addition to the Tri-Community Health Center, Town of Babylon (CP 4022) (Presiding Officer Tonna). Motion by myself, second by Legislator Cooper. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1822-02 (P) - Making a SEQRA determination in connection with the proposed improvements to the driving range at Bergen Point County Park, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1823-02 (P) - Making a SEQRA determination in connection with the proposed planning phase only of improvements to the Skilled Nursing Facility in Yaphank, Town of Brookhaven (CP 4057) (Presiding Officer Tonna). Motion by Legislator Crecca, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1824-02 (P) - Making a SEQRA determination in connection with the proposed planning and construction phases of replacement of fire hoods at Police Headquarters (Presiding Officer Tonna). Motion by Legislator Fields, second by Legislator Caracciolo. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1825-02 (P) - Making a SEQRA determination in connection with the proposed improvements to play areas at Bergen Point Golf Course, Town of Babylon (Presiding Officer Tonna). Motion by myself, second by Legislator Fields. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1827-02 - (P) - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (St. Gabriel's Property) (Town of Shelter Island) (Caracciolo). Didn't we just do the Town of Shelter Island recently?

LEG. CARACCIOLO:

We did five acres.

CHAIRMAN BISHOP:

For a big ticket --

LEG. CARACCIOLO:

Five acres for the { Rasmoussi} property, that was months ago.

CHAIRMAN BISHOP:

Months ago, and I remember we asked the Supervisor, "You got anything else," and he said, "Nah, that's it."

LEG. CRECCA:

This is a parcel that's on Bum's Road; we should call it the Bums Road acquisition?

LEG. CARACCIOLO:

Seven acres to answer your question earlier.

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CHAIRMAN BISHOP:

Ranking; name, rank, serial number?

COMMISSIONER ISLES:

We're further researching that but at this point the ranking appears to be around 10. One thing I would like to get a little more information on is the ground water aspect of it and, you know, that's based upon the size --

CHAIRMAN BISHOP:

Why don't you research it, we'll table.

LEG. FIELDS:

Motion to table.

CHAIRMAN BISHOP:

Motion by Legislator Fields, second by myself. All in favor? Opposed? Tabled (VOTE: 5-0-0-0).

1828-02 - (P) - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Property of WDP Enterprises at Ronkonkoma) Town of Shelter Island (Caracappa). This is Caracappa who always comes up with these.

LEG. FIELDS:

Half of a house?

CHAIRMAN BISHOP:

Half a house.

LEG. CARACCILO:
What's the ranking, Tom?

COMMISSIONER ISLES:
This is a CVS store on the front along Portion Road. The resolution would authorize the acquisition of the reapportionment --

COMMISSIONER ISLES:
What's the ranking?

COMMISSIONER ISLES:
Five.

LEG. CARACCILO:
Motion to table.

LEG. FIELDS:
Second.

CHAIRMAN BISHOP:
How does he come up with these?

LEG. CRECCA:
It's his district, there's nothing there.

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CHAIRMAN BISHOP:
But why not a fields or some sort of active recreation? Motion by Legislator -- motion to table by legislator Crecca, second by --

LEG. CRECCA:
No

LEG. CARACCILO:
I made it

CHAIRMAN BISHOP:
Legislator Caracciolo, second by Legislator Fields. All in favor? Opposed? Opposed? Nobody is opposed, okay. Tabled (VOTE: 5-0-0-0).

1833-02 (P) - Implementing pay-as-you-go 1/4% Taxpayer Protection Plan for Water quality Protection and Restoration Program for pilot testing of unique "Storm Box" Drains (Bishop). Motion by myself, second by Legislator Caracciolo. All in favor? Opposed?

COMMISSIONER ISLES:
The only comment we would make on that, sir, is that we do have the new screening committee, we may suggest that it go through the screening committee, but you've made your motion.

CHAIRMAN BISHOP:

This one went around it. Approved (VOTE: 5-0-0-0).

1834-02 - (P) - Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land of Galasso, Town of Islip) (Alden). Oh, my goodness.

LEG. CARACCILOLO:

A quarter of an acre? What's the ranking?

COMMISSIONER ISLES:

This one ranked 25. Well, because we own County property next door, as you can see on the map.

LEG. CARACCILOLO:

I can't believe it. You get 25 points and you --

COMMISSIONER ISLES:

No, it's actually -- you have to add them up.

LEG. CARACCILOLO:

Tell me how you got to 25.

CHAIRMAN BISHOP:

There's a stream there, right?

COMMISSIONER ISLES:

Yeah, it's Orowoc Brook. So you have the wetlands, you have other County holdings which we own. I don't make this up, okay? So the parcel in green is the subject parcel, the County owns everything in the fuchsia, whatever color that is; what color is that?

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CHAIRMAN BISHOP:

Purple.

COMMISSIONER ISLES:

And there's a paper. So the point is it scored higher because of the contiguous County property, the fact that it is regulated wetlands on a part of it; that's the basis of it.

LEG. CRECCA:

Are those paper roads that are there?

COMMISSIONER ISLES:

Yes, and what we would suggest is this would be the abandonment of those roads. The road can't be abandoned now since there's a private parcel which would have to have access, if the County were to acquire this and consolidate ownership abandonment would be possible at that point.

LEG. FIELDS:

Do we know the homeowner in front of this, the name?

COMMISSIONER ISLES:

You're saying to the right on the map there, on Grant Avenue?

LEG. CRECCA:

That's Cameron Alden's --

LEG. FIELDS:

Moffit, on Moffit Boulevard. Are we talking about the green?

COMMISSIONER ISLES:

Yes, we are.

LEG. FIELDS:

The one on Moffit Boulevard right in front of it.

COMMISSIONER ISLES:

Your question is do we know the name of the owner?

LEG. FIELDS:

Right.

COMMISSIONER ISLES:

No, I don't know. I have to try to find out.

LEG. FIELDS:

Did you check to see if there was a cesspool?

LEG. CRECCA:

You know what? Isn't there an advantage to getting -- I know we're joking around, but isn't there an advantage to getting this parcel because of the paper road abandonment?

COMMISSIONER ISLES:

Yes, and the consolidation with other County holdings here, so.

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LEG. CRECCA:

And there is a lot -- there's a significant --

CHAIRMAN BISHOP:

How much does .17 acres cost?

LEG. FIELDS:

Is this in jeopardy of being built on?

COMMISSIONER ISLES:

I'm not aware of any pending application. Mr. Murphy testified earlier about a parcel further to the north --

CHAIRMAN BISHOP:

I think it's funny that he came on this one.

LEG. FIELDS:

Wait, wait. I'm just questioning the fact that if you can't build on a piece of property then it doesn't really have an impending doom.

COMMISSIONER ISLES:

Well, I think it could be built on. It would be expensive because they'd have to build a road to get access to it. It's a Residents B Zone, it's in a sewer district with public water. So my quick review of it, I think it is buildable. Here again, at high cost, though, the practicality --

LEG. FIELDS:

I would make a motion to table because I don't like the ranking and I don't think we need to buy it.

LEG. COOPER:

Second.

LEG. CRECCA:

I want to oppose the tabling motion for the simple reason that I understand the ranking as well, but I think you have to take into consideration you have the potential abandonment of those papers roads.

LEG. CARACCILOLO:

Potential.

LEG. CRECCA:

Well, I think that that's -- Tom, would you agree that the town of Islip would abandon these paper roads and turn this over to the County in the event that this --

COMMISSIONER ISLES:

The only purpose of the road now, the paper road, is to provide access to this lot; once this lot is eliminated the abandonment could go forward. Typically what happens in abandonment is the parcel is split down the middle of the paper road, so the County would then acquire that land at that point.

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LEG. CARACCILOLO:

I think that would make a better case so I'll support the tabling motion pending the town --

LEG. CRECCA:

Well, you can't --

COMMISSIONER ISLES:

We can't abandon -- the town can't abandon the paper street because they have to provide access to a private owned parcel.

LEG. CARACCILOLO:

But they can give us an indication as to whether they're favorably disposed.

LEG. CRECCA:

In the world of land use, though, Mike, and I don't mean to throw, I can tell you right now there would be no reason for them not to abandon this. It would be to their legal advantage to do it and it would serve no legitimate purpose for the town to hold on to the property.

CHAIRMAN BISHOP:

You're such a land expert.

LEG. CRECCA:

I'm not but, I mean, a paper road abandonment is very -- towns like to abandon paper roads because it --

CHAIRMAN BISHOP:

You do it with such authority.

LEG. CRECCA:

It lessens liability to them, it lessens the potential for having road maintenance and things like that. So I'm going to oppose tabling and I'm going to make a motion to approve.

CHAIRMAN BISHOP:

Point one seven acres, how big is that in terms of like -- 40 X 100?

LEG. CARACCILOLO:

It's point zero point one seven acres.

CHAIRMAN BISHOP:

No, no, it's point one seven.

MR. SABATINO:

Less than a quarter.

COMMISSIONER ISLES:

Right, seventeen-tenths of an acre.

CHAIRMAN BISHOP:

I mean, is that a buildable lot in any jurisdiction; what is that, 40 by 80 or something?

LEG. FIELDS:

But again, it would cost whoever wants to purchase that a million

dollars to do anything with it. To me, why would we spend the money that we're --

CHAIRMAN BISHOP:

I just want to get the answer to this question because I'm fascinated by it.

COMMISSIONER ISLES:

The parcel is apparently about 100 by 100, maybe -- yeah, somewhere in that vicinity from what we've been estimating; I don't have an exact amount. As you can see, the house to the south is developed, there are a couple of them there and I think it would be replicated. As you look at this map, it's a pretty density area, it's a Residents B Zone in the Town of Islip, and as I said, it is sewered in public water. So I think it is buildable but, as Legislator Fields said, it would cost a lot to do it, and that would have to be affected in the --

LEG. COOPER:

Table the motion.

LEG. FIELDS:

Table the motion.

COMMISSIONER ISLES:

I just think it would make sense to consolidate County ownership.

CHAIRMAN BISHOP:

Uh-oh, the voice of reason has spoken. All right, there's a motion to table having been made and seconded. All in favor of tabling? Opposed to tabling?

LEG. CRECCA:

I will oppose.

CHAIRMAN BISHOP:

Opposed to tabling, Legislator Crecca. I'm opposed to tabling. The vote is 3-2, it is tabled (VOTE: 3-2-0-0 Opposed: Legislators Bishop & Crecca).

1835-02 - (P) - Authorizing planning steps for the acquisition of farmland under pay-as-you-go 1/4% Taxpayer Protection Program (Land of Northville Turnpike, Town of Riverhead) (Caracciolo).

LEG. CRECCA:

Do you have a map?

COMMISSIONER ISLES:

We don't typically provide maps on farmland, we haven't done that yet.

LEG. CRECCA:

I just get excited, the map is the best part of the whole meeting.

COMMISSIONER ISLES:

Okay. It's fine to ask.

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CHAIRMAN BISHOP:

Why don't we have maps on farmland, because it's too difficult? It's just more work.

LEG. CARACCILOLO:

Motion to approve.

LEG. FIELDS:

One farmland looks like another.

LEG. CARACCILOLO:

Motion to approve.

LEG. FIELDS:

Twelve acres

LEG. CARACCILOLO:

I'm ahead of myself, sorry, 12 acres.

LEG. FIELDS:

Pay attention.

CHAIRMAN BISHOP:

This is the Quarter Cent Program farmland. Now, it's planning steps only, you're getting into this argument, this is not the program that's a hundred percent, right, or this is a hundred percent?

MR. SABATINO:

They have to put 30% in by statute.

LEG. CRECCA:

Let's just approve this.

CHAIRMAN BISHOP:

Motion to approve having been made by Legislator Caracciolo, second by Legislator Fields. All in favor? Opposed?
1835 is approved (VOTE: 5-0-0-0).

1836-02 - (P) - Authorizing planning steps for implementing Greenways Program in connection with the acquisition of active parklands at Montauk Highway, East Moriches (Town of Brookhaven) (Caracciolo).

LEG. CRECCA:

Do we have a map?

LEG. CARACCILOLO:

Motion to table.

LEG. COOPER:

Second.

LEG. FIELDS:

Second for tabling, let's go.

CHAIRMAN BISHOP:

Twenty-five acres in East --

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COMMISSIONER ISLES:

This is under Greenways Active Parkland, so we don't -- the ranking form does not apply to that.

CHAIRMAN BISHOP:

This looks too good to be -- is this like a sod farm?

COMMISSIONER ISLES:

It's an airport, or an air strip I guess.

CHAIRMAN BISHOP:

An air strip; very narrow.

LEG. CARACCILO:

Motion to table.

CHAIRMAN BISHOP:

Motion to table by Legislator Caracciolo, second by myself. All in favor? Opposed? It's tabled till the next meeting, come back with your maps then. Tabled (VOTE: 5-0-0-0).

1837-02 - (P) - Authorizing planning steps for the acquisition of farmland under pay-as-you-go 1/4% Taxpayer Protection Program (Land of Sound Avenue, Baiting Hollow, Town of Riverhead) (Caracciolo).

LEG. CARACCILO:

This is 51 and a half acres. It came up at our monthly meeting with the Town of Riverhead, there was unanimous consent that the County should pursue this acquisition and the town I believe would join us.

LEG. COOPER:

Second.

CHAIRMAN BISHOP:

Motion having been made and seconded. All in favor? Motion by Caracciolo, second by Cooper. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

1840 is appropriating -- did we do this? We tabled this.

1841-02 - To expand membership of Greenways RFP Committee to designate site for Suffolk County Community Greenways Fund Educational and Interpretive Center (Caracciolo).

LEG. CRECCA:

Why; can I ask why we need to do this?

CHAIRMAN BISHOP:

Why do we need to do this, Legislator Caracciolo?

LEG. CRECCA:

Is ther someone in particular that we're doing this for other than yourself?

LEG. CARACCIOLO:

No. It adds two additional representatives, one of them being one of

the architects to the Pine Barrens Act and that was the Pine Barrens Society, and the other would be a representative of the Presiding Officer who was not included in the membership of this committee.

LEG. FIELDS:

Commissioner Scully, do you see any reason to expand the committee at all?

COMMISSIONER SCULLY:

I don't see a need nor do I see that it would harm the process. The committee is pretty much completed with its work and is preparing its report, the addition of the representatives wouldn't really impact on that in any way.

LEG. CARACCIOLO:

Motion to approve, Mr. Chairman.

LEG. FIELDS:

I already go; I am not appointed and I go.

CHAIRMAN BISHOP:

Motion to approve by Legislator Caracciolo, I'll second it.

LEG. CRECCA:

Didn't we just say --

LEG. FIELDS:

I will abstain.

LEG. CRECCA:

I want to abstain, too, they said the work was done in the committee already.

LEG. CARACCIOLO:

It won't harm us though, like the Commissioner said.

LEG. CRECCA:

Why appoint somebody to a committee that's --

LEG. CARACCIOLO:

Well, I think you should have one of the principals, one of the two major principals that was involved in the passage, the proposal and passage of the Pine Barrens Act involved in this process. We're talking about a \$2 million interpretive center. And as the sponsor, along with Legislator Bishop, of the Greenways resolution, I feel very strongly that someone of that caliber and magnitude should be involved in this committee, and it was an oversight that he wasn't originally, or his representative if he chooses not to serve, be involved.

CHAIRMAN BISHOP:

Where are we at with that?

LEG. CARACCIOLO:

That was 1998, it's 2002 and we're looking at something that, as I understand it, is going to cost in excess of \$2 million.

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LEG. FIELDS:

It should.

LEG. CARACCIOLO:

So let's talk about that. Because you're going to have a recommendation for more funding, let's see if one of the people who were instrumental in preserving 50,000 acres of prime watershed area should be involved in something that he knows an awful lot about and I think could make a wonderful contribution to this interpretive center. What harm is there?

LEG. FIELDS:

Do you know who in particular you are looking to add to this?

LEG. CARACCILO:

Well, I know who I would like to see serve, if he doesn't serve it would be Dick Amper, your friend.

LEG. FIELDS:

Motion to a table.

LEG. CARACCILO:

I made a motion to approve. Do you want to recognize the tabling motion?

CHAIRMAN BISHOP:

I just want to know where we're at.

COMMISSIONER SCULLY:

Just to briefly recap, this is a minor component of the Suffolk Community Greenways County Fund Referendum which was approved by the voters in 1998 with the creation of an environmental interpretive center. It was very specific requirements contained in the Charter Law. A committee that was created by the Legislature shortly after the voters approved the law did a good job of assessing and putting together a team for the program piece of it and ultimately, under the guidance of the prior Commissioner, selected or sought to select Smithers, a piece of property in the Town of Southampton right on the bay as the site for the interpretive center. And my predecessor had been poised to seek appropriation of \$300,000 to hire a consultant to determine what the place should be and to do some planning. We asked that that committee be reconstituted because it wasn't comfortable with the site selection. Legislator Caracappa sponsored legislation last year reconstituting the committee and the committee had met several times, visited several sites and after much deliberation ultimately selected a site or chose a site to recommend to the Legislature, that being Southaven County Park because of the infrastructure and access features of that park.

CHAIRMAN BISHOP:

We spent \$300,000 to recommend Southaven Park?

COMMISSIONER SCULLY:

No funds have been expended nor have they been appropriated.

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CHAIRMAN BISHOP:

Oh, okay.

COMMISSIONER SCULLY:

I think it's -- the only thing I'd add to that is that it's long been

recognized that the \$2 million provided for would not be adequate to create the type of facility that the legislature envisioned and I think that within the next 30 --

CHAIRMAN BISHOP:

That's funny. What kind of -- how do you know what we envision?

COMMISSIONER SCULLY:

Because the Charter Law is very, very specific, it talks about an auditorium, a gift shop and the types of features that really --

LEG. FIELDS:

Can I just interject here? Even though I am not a member of that, as the Parks Chairperson I wanted to attend the meeting to see what they had come up with and what they -- where they were going. And at the last meeting I was extremely impressed with the group that met and what their drive was and they actually even had homework to do. They kind of post -- or scheduled another meeting -- nobody's listening.

LEG. CARACCILOLO:

You have a motion to table.

LEG. CRECCA:

I will second the motion.

LEG. FIELDS:

Okay.

CHAIRMAN BISHOP:

Motion to table by Legislator Fields, second by Legislator Crecca. All in favor of tabling? Opposed? Myself, Legislator Caracciolo, okay.

LEG. COOPER:

And me.

CHAIRMAN BISHOP:

Oh, I thought you weren't.

LEG. CARACCILOLO:

Motion to approve.

CHAIRMAN BISHOP:

Motion to approve by Legislator Caracciolo, second by myself. All in favor? Opposed?

LEG. FIELDS:

Opposed.

CHAIRMAN BISHOP:

Opposed by Legislator Fields.

LEG. CRECCA:

Abstain.

CHAIRMAN BISHOP:

Abstention, Legislator Crecca. Approved (VOTE: 3-1-1-0 Opposed: Legislator Fields - Abstained: Legislator Crecca).

1845 -- wait till you see this one, you're going to love this.

1845-02 (P) - Authorizing planning steps for implementing Greenways Program in connection with acquisition of active parklands at West Babylon Guildford Park (Town of Babylon) (Bishop). And yes, Ladies and Gentlemen, you are looking at a parking lot.

LEG. FIELDS:

Motion to table. What's the ranking on this one, minus 50?

CHAIRMAN BISHOP:

Let me just explain what it is. What you are looking at is the back of a shopping center which fronts on to Montauk Highway. It is a parking lot in which in the ten years the shopping center has existed no one has ever seen anybody park in that back parking lot. So the soccer league came to me and said, "Why can't we take the back parking lot and turn it into a soccer field?" So that's what this is about.

LEG. CRECCA:

Where do these doors face?

CHAIRMAN BISHOP:

Montauk Highway, 27A.

LEG. CRECCA:

You want to buy the parking lot in front of the stores?

CHAIRMAN BISHOP:

No, they have circled the wrong part. The circle should go -- on the upper left you see woods, come down from the woods, it's that parking lot.

LEG. CARACCILO:

Just south of the woods.

CHAIRMAN BISHOP:

Yeah, and you're buying the -- on the left hand side, you're buying two-thirds of that parking lot on the left hand side.

LEG. CARACCILO:

And who would develop the property?

CHAIRMAN BISHOP:

The Town of Babylon. It actually, according to the town's people, it

would be easier to develop than virgin land because you have all the drainage underneath it already.

LEG. FIELDS:

Wait a minute, wait a minute. What store is this that we're looking at

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in the yellow and in the green on the bottom, on Montauk Highway?

CHAIRMAN BISHOP:

It's a shopping center.

LEG. FIELDS:

What shopping center is that? Just so I know where I am.

CHAIRMAN BISHOP:

National Wholesale liquidators.

MS. FISCHER:

Great South Bay Shopping Center.

LEG. FIELDS:

Is that where the old Corvettes used to be? That shows you how old I am.

MS. FISCHER:

No, this is where A&S and Martins used to be.

LEG. FIELDS:

Right.

MS. FISCHER:

And they have Sweezey's in there now.

LEG. FIELDS:

Yeah, I think there was a Corvettes in there, too, a long time ago.

CHAIRMAN BISHOP:

So the circle should go --

MS. FISCHER:

Yes, you're right, there was a Corvettes in there, too, years ago.

COMMISSIONER ISLES:

There's a Blockbuster on the corner.

LEG. FIELDS:

Dave?

CHAIRMAN BISHOP:

Can I just show you where the circle should go?

LEG. FIELDS:

Can I just ask a question; who would pay for the lifting up of all the asphalt?

CHAIRMAN BISHOP:

Well, we probably wouldn't lift up the asphalt, you'd probably just pour dirt on top of it and put grass on it.

LEG. FIELDS:

But then it can't drain.

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CHAIRMAN BISHOP:

Oh, then it can't drain?

COMMISSIONER ISLES:

It can't drain plus it's going to -- you know, there will be a moisture problem, it would dry out and blow away, you need a depth of topsoil of at least 14 inches.

LEG. FIELDS:

Who's going to pay for that?

COMMISSIONER ISLES:

Well, that would have to be negotiated. We're not too familiar with the proposal, I can't speak on it in detail.

CHAIRMAN BISHOP:

It's the Great South Bay Shopping Center.

COMMISSIONER SCULLY:

The owner, according to the resolution, is the Town of Babylon Industrial Development Agency.

CHAIRMAN BISHOP:

They retired the bond.

LEG. CRECCA:

Maybe we need to make some changes to this then?

LEG. FIELDS:

Yeah, I would make a motion to table until we know more. Who's going to pay for it?

CHAIRMAN BISHOP:

What is it that you need to know?

LEG. FIELDS:

Who's going to pay for it?

COMMISSIONER SCULLY:

Our understanding is that the proposed partner is the Town of Babylon. We have a call in to the Supervisor's Office but haven't received any information back yet regarding the proposal.

CHAIRMAN BISHOP:

You're not going to get answers from them, this is coming from me and the soccer league. They are willing to take -- if we are able to buy it, they're willing to take it and turn it into a soccer fields. They'll probably -- they went out there and they laid out three fields would fit.

COMMISSIONER SCULLY:

Okay, I apologize. Should we be contacting them to talk -- should we be talking to the soccer league directly?

CHAIRMAN BISHOP:

You can speak to me. Whatever questions you have I'll get answered.

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COMMISSIONER SCULLY:

Very good.

CHAIRMAN BISHOP:

We'll try to work it out. What questions do you need answered?

LEG. FIELDS:

I have a lot of questions. Number one, we went through this with the Wedge trying to find out, you know, if these leagues, if these people have the money to support the acquisition in the Greenways.

CHAIRMAN BISHOP:

No, it's not going to be the leagues.

LEG. FIELDS:

Okay, the Greenway, whoever it is.

CHAIRMAN BISHOP:

It's the town.

LEG. FIELDS:

Well, now you said the town has nothing to do with it, it's the soccer league.

CHAIRMAN BISHOP:

The initiative comes from the soccer league and myself.

LEG. FIELDS:

My point is --

CHAIRMAN BISHOP:

But the town would be the partner, so it's not a Wedge situation.

LEG. FIELDS:

Let's just say we bought the property and they were told they had to lift up the asphalt and they say, "We don't have the money for that"; then what? I'd like to see a plan where they say, "Well, we're" --

CHAIRMAN BISHOP :

Planning steps only, this is where we get into -- we don't do that at this point. At planning steps we simply figure out how much it's going to cost, we appraise it.

LEG. CRECCA:

That's a good point. You want to move forward?

CHAIRMAN BISHOP:

I would like to move it forward.

LEG. CRECCA:

Motion to approve.

CHAIRMAN BISHOP:

Motion by myself, second by Legislator Crecca. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

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I understand, we're going to need a lot of things. I mean, it's very rare that you take a parking lot and turn it into an athletic field, but these are the circumstances --

LEG. FIELDS:

So rare that they've probably never done it.

CHAIRMAN BISHOP:

These are the circumstances in Babylon. The only -- I mean, as everybody knows, and I've said it before, the only open space in Babylon is owned by cemeteries, so when they're up against it. Next, thank you.

1848-02 (P) - Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% taxpayer protection program (Land of Manorville, Town of Brookhaven) (Caracciolo). A lot of maps.

LEG. CARACCIOLO:

Okay. Peter, could you address this resolution; is this piece of property next to the Pine Barrens Information Center?

COMMISSIONER SCULLY:

I believe that this is the parcel that Mr. Fernandez had contacted your office?

LEG. CARACCIOLO:

Right, next to the Pine Barrens Information Center in Manorville; is that right, Tom?

COMMISSIONER ISLES:

Yes, it is.

COMMISSIONER SCULLY:

Yes, it is.

LEG. CARACCIOLO:

And we just built a new handicapped access trail, hiking trail here?

COMMISSIONER SCULLY:

Yes, we did.

LEG. CARACCIOLO:

And when we did that ribbon cutting you showed me this property and said it would be a complementary acquisition?

LEG. FIELDS:

You're leading the witness.

CHAIRMAN BISHOP:

And at that time you indicated --

COMMISSIONER SCULLY:

I have to take the Fifth. That's the parcel that's the subject of the resolution.

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LEG. CARACCIOLO:

Okay. Do you support this acquisition?

LEG. FIELDS:

Say no.

LEG. CARACCIOLO:

Then I'll withdraw it then, it's no big deal.

COMMISSIONER SCULLY:

I would support the acquisition.

LEG. CARACCIOLO:

You would. Tom, from your perspective?

COMMISSIONER ISLES:

Without question.

LEG. CARACCIOLO:

Okay, thank you.

CHAIRMAN BISHOP:

What did it rank, what did it get?

COMMISSIONER ISLES:

Actually, we didn't rank it but it's already authorized under the Omnibus Pine Barrens Bill that was approved in April because it's in the core. So it's a core parcel adjacent to other County holdings.

LEG. CRECCA:

Motion, come on.

CHAIRMAN BISHOP:

Motion to approve by Legislator Bishop, second by Legislator Caracciolo. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

LEG. CRECCA:

I will make a motion on 1852.

CHAIRMAN BISHOP:

1852-02 (P) - Making a SEQRA determination in connection with the proposed planning and design for the construction of the 4th Police Precinct, Hauppauge, Town of Smithtown Cp 3184 (Presiding Officer Tonna). Second by Legislator Cooper. All in favor? Opposed? 1852 is approved (VOTE: 5-0-0-0).

1853-02 (P) - Making a SEQRA determination in connection with the proposed purchase of landing counter for Gabreski Airport, CP 5732 (Presiding Officer Tonna).

LEG. CARACCIOLO:

Explanation.

LEG. FIELDS:

Motion to approve.

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CHAIRMAN BISHOP:

Motion to approve by Legislator Fields --

LEG. FIELDS:

This is --

CHAIRMAN BISHOP:

-- second by myself. It's simply a counter that counts the planes.

LEG. FIELDS:

I believe that this can generate more money for the County because it tells them how many planes are taking off and how many are landing and it allows them to have an automatic billing process for all the planes. This would allow us to collect those fees that we wanted to raise and did not collect on.

CHAIRMAN BISHOP:

Approved (VOTE: 5-0-0-0).

1854-02 (P) - Making a SEQRA determination in connection with the proposed drainage improvements on NYS Route 27A, Montauk Highway at Champlin Creek, Town of Islip CP (Presiding Officer Tonna). Motion by Legislator Fields, second by myself.

LEG. FIELDS:

No, no.

CHAIRMAN BISHOP:

Motion by myself, second by Legislator Crecca. All in favor?

LEG. FIELDS:

Wait a minute. What was this ranked?

CHAIRMAN BISHOP:

It's a SEQRA determination. Approved (VOTE: 5-0-0-0).

1865-02 (P) - To expand scope of coverage of "No Spray" list to include all chemicals (Guldi).

LEG. CARACCILO:

Explanation.

CHAIRMAN BISHOP:

Oh my goodness.

MR. SABATINO:

This is Legislator Guldi's initiative to go from the current regulations which allow you to opt out from adulticide spraying to include any chemical larvacide because Legislator Guldi has alleged that he's been getting complaints from people in his community who wanted the ability to opt out of any pesticide application. The Health Department -- well, they raised their concern which is that --

CHAIRMAN BISHOP:

Are we prime?

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LEG. CRECCA:

We are prime, that's why it's under prime.

CHAIRMAN BISHOP:

I think that we should really hear from somebody from --

LEG. CRECCA:

Motion to table.

CHAIRMAN BISHOP:

-- some of departments on this. Motion to table by myself, second by Legislator Cooper. I'll ask my staff to contact Dominick Ninivaggi and ask him to attend the next meeting. Or Vito, can you answers these? Dominick is the right person to ask.

MR. MINEI:

Just quickly, I can add something.

CHAIRMAN BISHOP:

Okay. I mean, it's tabled already.

LEG. FIELDS:

But it would be helpful for just a little --

MR. MINEI:

Counsel is correct. I mean, the concept is to add the larvicides to the adulticides. So the concern is you have to balance the public health concern, that you really can't differentiate too much the public health impact of the adulticides and larvicides. What you do have to balance, and I think you have to give some thought to, that if you start to eliminate killing off the larvae of the mosquitoes, you really enhance the ability for mosquitoes to grow into the adulticides where the real disease causing aspect of them come into play.

CHAIRMAN BISHOP:

That's why you drew the line where you drew the line?

MR. MINEI:

I am asking you basically to give this due consideration before you vote on it.

CHAIRMAN BISHOP:

Motion to table by myself, second by -- we made that motion, I apologize. Tabled (VOTE: 5-0-0-0).

1882-02 (P) - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Quogue Wetlands, Rich property, Village of Quogue, Town of Southampton) (County Executive).

LEG. CRECCA:

Is it the green areas that are under proposed acquisition?

COMMISSIONER ISLES:

Yeah, they're adjacent parcels on the two resolutions. The larger one is the Rich parcel which is about 11 acres.

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LEG. FIELDS:

Which one is which?

COMMISSIONER ISLES:

The large, green parcel -- there are two green parcels that are the proposed acquisition ones, the larger of the two on the left-hand side of the two is the current resolution which is 1882 which is an 11 acre parcel.

LEG. CARACCILOLO:

Did these come to us through the town or through the Legislative office; these are town priority acquisitions?

COMMISSIONER ISLES:

Yeah, this is town and village. They're also partnering on this with the County if this were to go forward.

CHAIRMAN BISHOP:

But not Land Preservation Partnership.

MR. BURKE:

Yeah, they're Multifaceted Land Preservation Partnership.

LEG. CARACCILOLO:

Is it reflected in the resolution?

LEG. FIELDS:

But there's a little question here, the owner of the other parcel is also a Town Board member or something of Southampton; why didn't Southampton just buy the property from him?

COMMISSIONER ISLES:

What is it, 1887?

LEG. FIELDS:

Greeff his name is.

COMMISSIONER ISLES:

I'm not aware of that.

LEG. FIELDS:

1887.

COMMISSIONER ISLES:

The two resolutions are planning steps resolutions at this point.

LEG. FIELDS:

Yeah, Peter Greeff. To me it looks -- I mean, why doesn't Southampton Town Board just --

CHAIRMAN BISHOP:

Maybe because he's a member.

LEG. FIELDS:

So why are we buying it? Just because he's a member of Southampton we

have to buy it? It sort of seems like it's a conflict of interest to me; could be, I mean.

CHAIRMAN BISHOP:

Who owns it? They own this beautiful land and they have never developed it? .

COMMISSIONER ISLES:

It's not currently developed, no

LEG. CARACCILOLO:

Where is the Ponquogue Bridge, a little further east?

MR. BURKE:

Further east, yes. This is west of the bridge.

LEG. CARACCILOLO:

It's just east of this property, right?

MR. BURKE:

No, no, west.

LEG. CARACCILOLO:

It's west of this property?

MR. BURKE:

This property is west of the bridge.

LEG. CARACCILOLO:

Right, right.

MR. BURKE:

We purchased the other property about a year or so ago

LEG. CARACCILOLO:

Yeah, this is part of that large marshland and Greenbelt on the left side of Dune Road as you're going east towards the Shinnecock.

COMMISSIONER ISLES:

And there is other County ownership, as Jim pointed out, as well as town and village ownership outlined in the blue. The parcels -- 1882, the 11 acre piece ranks at about 45, the smaller piece which is about five acres ranks about 40.

LEG. CARACCILOLO:

Without divulging anything that shouldn't be made public and hurt our negotiating position, is it fair to say that we are looking into multiples of millions of dollars for 11 acres in this location?

CHAIRMAN BISHOP:

It's probably a million dollars.

LEG. CARACCIOLO:

Would that be -- yeah, it would be a fair statement, right.

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LEG. FIELDS:

Whisper it off the record.

CHAIRMAN BISHOP:

I'll make a motion to table.

LEG. CRECCA:

You know what? I'm going to second that, too.

LEG. FIELDS:

Yeah, good.

LEG. CARACCIOLO:

Why should this be tabled? Are we in the business of preserving environmentally sensitive land or are we going to discriminate where we do that?

LEG. FIELDS:

Can you build on this property?

COMMISSIONER ISLES:

They potentially can, the parcels are zoned for residential use. There was just --

LEG. CARACCIOLO:

This is a partnership you said, right; this is a partnership with the town and the village?

MR. BURKE:

Yes.

COMMISSIONER ISLES:

Yeah, it's a 50/50 with those two municipalities.

CHAIRMAN BISHOP:

Let it run its course and we'll vote.

LEG. CARACCIOLO:

I don't know if everyone caught that. In other words, this is not a sole County acquisition as we discussed earlier in East Hampton where you're talking about something that's probably in the same multiple of millions of dollars. I think you've got to be consistent, that's all

CHAIRMAN BISHOP:

We don't have to be consistent.

LEG. FIELDS:

Let me ask a question.

CHAIRMAN BISHOP:

We make the priority list and we figure out what we want to spend.

LEG. CARACCILOLO:

So the Town Supervisor should come here with his Town Board and the Village Board and then maybe they'll have some luck.

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CHAIRMAN BISHOP:

It might help.

LEG. CARACCILOLO:

All right, I will personally notify them of that.

CHAIRMAN BISHOP:

All right.

LEG. FIELDS:

Can I just ask one other question also? Let's say we were to approve 1882 which you said is the larger portion and we didn't approve 1887; is there a road, is there access, could they then develop 1887?

COMMISSIONER ISLES:

Yes. They would have to provide access which would be an easement or whatever the local road requirements would be. I haven't studied a subdivision of this one. They still have access to Dune Road.

LEG. FIELDS:

What's the blue? Blue has all these initials, T of S and V of Q; what does that mean?

COMMISSIONER ISLES:

The Town of Southampton, Village of Quogue.

LEG. FIELDS:

So the town owns the blue.

MS. FISCHER:

The town and the village own the blue.

COMMISSIONER ISLES:

Right, joint ownership.

MS. FISCHER:

Yeah. The yellow is Village of Quogue, the magenta --

LEG. FIELDS:

What about in-between the blue and the green?

MS. FISCHER:

They're privately owned. The magenta color is Suffolk County, Town of Southamptton and Village of Quogue. This area has been earmarked also of interest, to the U.S. Army Corps of Engineers to do some wetland restoration work as well. They contacted us, we were speaking about Mudd Creek but they had asked us to give them some information for this area as well.

CHAIRMAN BISHOP:

Okay. A motion to table having been made and seconded. All in favor? Opposed?

LEG. CARACCILOLO:

Opposed.

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LEG. COOPER:

This is 1882? I'm opposed.

CHAIRMAN BISHOP:

Tabled (VOTE: 3-2-0-0 Opposed: Legislators Caracciolo & Cooper).

1887-02 (P) - Authorizing planning steps for acquisition under Suffolk County Multifaceted Land Preservation Program (Quogue Wetlands, Greeff property, Village of Quogue, Town of Southamptton) (County Executive). Same motion, same second, same vote.

LEG. COOPER:

1887 I want to support the tabling.

CHAIRMAN BISHOP:

Okay. Did you want to support tabling on the first one?

LEG. COOPER:

Opposed on 1882, I support it on 87.

CHAIRMAN BISHOP:

I see, very interesting.

LEG. FIELDS:

I would agree, same vote that Legislator Cooper has; I would approve 1882 but I am opposed to 1887. Okay, then motion to table 1887.

LEG. CARACCILOLO:

Second.

CHAIRMAN BISHOP:

You're seconding 1887, that's tabling. All in favor? Opposed? 1887 is tabled (VOTE: 5-0-0-0). And we also tabled 1882.

1893-02 (P) - Amending the 2002 Operating Budget and appropriating funds from the Water Quality Protection Program, Fund 475, Fund Balance for the acquisition of land in Pine Barrens and Non-Pine Barrens Towns and for Parkland operating and security expenses in accordance with Local Law 21 of 1996 and the consultants final report and Water Quality Protection Computer Model issued May 17, 2002. (County Executive).

LEG. CARACCILO:

Question. Commissioner Scully, would this enable you to receive some supplemental funds for Park Police? What is the aspect of security that's mentioned in the title?

COMMISSIONER SCULLY:

This is the final reconciliation, it's my understanding, of the Drinking Water Program that expired on December 1st, 2000, the residuary funds. And in the past the department had received funding from which Park Police Officers had been funded and some other repairs to buildings and things of that nature. The minor amount of money that's provided here would be utilized for building repairs.

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CHAIRMAN BISHOP:

The 12(5)E Fund, now that was the one -- that's the Non-Pine Barrens Fund that was for --

COMMISSIONER SCULLY:

That's correct.

CHAIRMAN BISHOP:

You know, in other words Babylon got X amount, Huntington X amount.

MR. SABATINO:

It was one-third -- the 12(5)E took the residuary and divided it one-third and two-thirds; one-third went to the west end and two-thirds went to the Pine Barrens.

CHAIRMAN BISHOP:

Right. Now, are those accounts empty?

COMMISSIONER SCULLY:

I really --

COMMISSIONER ISLES:

Close.

COMMISSIONER SCULLY:

This is a final -- my understanding is that somebody from Budget, I think Carmine Chiusano has --

CHAIRMAN BISHOP:

We want every cent we got in Babylon to go to Babylon and I'm sure Islip feels the same way and etcetera.

COMMISSIONER ISLES:

This would add 2.4 million to Babylon.

CHAIRMAN BISHOP:

How would it add?

COMMISSIONER ISLES:

It's expending out the left over money from the old Drinking Water Program and it's indicated in the resolution the breakdown by town.

CHAIRMAN BISHOP:

I guess I missed the point.

COMMISSIONER ISLES:

Okay.

CHAIRMAN BISHOP:

So now I'm excited. This resolution does what?

COMMISSIONER SCULLY:

It appropriates the residuary funding from the Drinking Water Protection Program which expired on December 1st, 2000, it's the final accounting of that fund and the appropriation of it for the purposes

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set forth in the Charter Law I guess which created the -- or amended it in 1996.

CHAIRMAN BISHOP:

And under the 1996 amendment we created this 12(5)E account which was, as he said, Counsel said, two-thirds Pine Barrens, one-third Non-Pine Barrens Towns.

COMMISSIONER SCULLY:

Right.

CHAIRMAN BISHOP:

And there were accounts, we used to say what do we have in the Babylon account, you'd say two million and I'd say, "Okay, great."

LEG. FIELDS:

May I ask --

CHAIRMAN BISHOP:

What happens to those accounts now; they're are deposits into those accounts?

LEG. FIELDS:

And do the towns have to use it --

COMMISSIONER ISLES:

Yeah, the current balance in Babylon is \$459,000, this would add 2.4 million so it brings it to 2.8, almost \$2.9 million.

CHAIRMAN BISHOP:

And you tried to deny my soccer field.

LEG. FIELDS:

Well, now you have the money.

CHAIRMAN BISHOP:

Now I got the money.

LEG. FIELDS:

But let's say now this now deposits \$3,619,587 in Islip Town; what do they do with that money?

COMMISSIONER ISLES:

That's up to you. The Legislature determines --

LEG. FIELDS:

It's up to who?

COMMISSIONER ISLES:

Up to the Legislature.

LEG. FIELDS:

Oh, then we can take that money and apply it.

COMMISSIONER ISLES:

Right.

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MR. SABATINO:

This is County money.

LEG. FIELDS:

I got it. Thank you.

MR. SABATINO:

Parks is also picking up like 138,000 for operations because that was part of the amendment.

CHAIRMAN BISHOP:

We're in business. Motion to approve by myself, second by Legislator Fields. All in favor? Opposed? Approved VOTE: 5-0-0-0). Who would know that such a boring title would end up so exciting?

1899-02 (P) - Authorizing planning steps for the acquisition of land

under Suffolk County Drinking Water Protection Program (Roselin LLC Holding, Town of Brookhaven) (County Executive). Yes, I know you're desperate to speak on this.

LEG. CARACCILOLO:

What's the ranking, Tom?

COMMISSIONER ISLES:

This one we figure comes to at least 45. It's part of the -- it involves a number of parcels in the core of the Pine Barrens. Mr. Turner is --

MR. TURNER:

My name is John Turner, I serve as Director of Conservation Programs for the Long Island Chapters of The Nature Conservancy and I'm pleased to be able to provide the Conservancy's strong support for this planning steps resolution relating to this complex of parcels that I invite you to take a look at and to read about.

As Legislator Caracciolo noted, it's about 400, almost 424 acres located in the Town of Brookhaven along the Carman's River in a Greenbelt that extends from the DEC Rocky Point property to the north, south along the river in the river corridor all the way to the Wertheim National Wildlife Refuge. And if you take a look at the GIS products, the maps here, you can see outlined or actually highlighted in bold red the four parcels that are the subject of this resolution and you can see there are placement within a larger context of public landholdings.

LEG. FIELDS:

Motion to approve.

MR. TURNER:

Wow. I'm done.

LEG. FIELDS:

This is a beautiful piece. I have walked in there, it's beautiful. Look at the pictures in the back of your -- I'm sorry, John, go ahead.

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LEG. CARACCILOLO:

Look at the scarring from the ATV's.

MR. TURNER:

As Peter will talk to you about, ATV use there and other places is significant. I want to revisit that issue --

LEG. CARACCILOLO:

Now, we don't want to go there, John. But Commissioner Scully, where in the Yaphank area is there a private operated -- private property

that allows ATV use; where is it in proximity to these holdings? Do you know, Tom?

COMMISSIONER SCULLY:

It would be further south, north of Horseblock Road in the vicinity of the Brookhaven Solid Waste Disposal Facility, near the intersection of Horseblock Road and Woodside Avenue further south of this area.

LEG. CARACCILOLO:

That's near County holdings, not far from County holdings, Police headquarters, it would be to the west of that, right?

COMMISSIONER SCULLY:

Southwest.

LEG. CARACCILOLO:

Southwest of that area, okay. So that's close to the town landfill as well, not too far, Grucci property.

COMMISSIONER SCULLY:

In that area, yes.

LEG. CARACCILOLO:

Yeah, the DWI facility, that's all the way down that way. I got you, okay. But looking at this areal, John, there is some scarring of land as a result of that extensive property you mention that goes all the way from the Rocky Point Preserve, the DEC property all the way out east. Commissioner, are you ready, if this was to be acquired, to protect this environmentally sensitive property from intrusion of ATV's?

LEG. FIELDS:

I would think if you want to be consistent you'd have to ask that question of every single acquisition that we put forward.

LEG. CARACCILOLO:

I think we need a questionnaire on every acquisition to make sure we are consistent, but that's another day. Commissioner?

COMMISSIONER SCULLY:

As you know, this particular area includes the Warbler Woods Nature Preserve which has been a real area of attention for us over the past two years, and we really have had some significant success there. We have had -- there are two primary sources of ATV use, there are those folks who trailer the ATV's in from points west, typically they'll use the Parr Meadows Raceway property in order to access that, that's an

easier thing for us to enforce because we just sit on the trailers waiting for them to come back, and then there's the property owners

who may access the lands from adjoining properties which are a little bit more difficult. But the people who -- the naturalists who frequent Warbler Woods have reported to us that some of the ATV damage which was really horrific over the past two years, they've seen much less impacts over the last season so some of our enforcement efforts are having more success in the region.

I needn't tell you that we're up against it in terms of our ability to combat the problem given the resources that we have. But the potential to acquire these parcels, either --

LEG. CARACCIOLO:

Let me stop you there because it really segways into part two. I mean, it's wonderful for us to fund millions of dollars to preserve environmentally sensitive land and then abandon our responsibility through a lack of enforcement to preserve it as environmentally sensitive property. Do you have a recommendation? I know there's an ATV report. Is there a recommendation for us to put the resources, to put money into the resources to preserve these properties, these lands? We're talking thousands of acres.

COMMISSIONER SCULLY:

I think that the issue you have identified is a significant policy issue that a number of different Legislators and the County Executive are all grappling with, so I don't have a specific recommendation. I think that the issue that you raise is one that needs to be addressed in terms of the long-term. I have often said that this County has done more than any other local government in the nation to --

LEG. CARACCIOLO:

But as a steward of the 45,000 plus acres, could you make a recommendation to this committee, make a recommendation to me, I'd be happy to sponsor legislation. If we need more park police, again, we can't tell the public on one hand we're doing such a wonderful job, spending millions of dollars of taxpayer monies to preserve land and then turn our eye -- our head the other way and let this type of devastation continue.

COMMISSIONER SCULLY:

I think that given current fiscal constraints, and I'm respectful of the challenges that you face in that regard, it's probably a good idea to take a hard look at what alternative means might be available to fund the needs and requirements of the park system, including enforcement and land management. So no, I don't have a specific recommendation because I think that the longer term issue is one of the overall resources of the department, how they might better be met in terms of an alternative approach to funding of those, and that's an issue you and I have discussed in the past.

LEG. CARACCIOLO:

Yeah. I mean, we really have to address that at some point, otherwise

we're just kidding ourselves and kidding the public into thinking that we're doing such a wonderful job in acquisition and preservation when we're not really preserving.

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LEG. FIELDS:

But the alternative is that if we don't acquire properties such as these then we are open to development and I would rather see some small problems existing than to see this become housing developments.

CHAIRMAN BISHOP:

My question is this was not authorized previously when we did the Pine Barrens?

MR. TURNER:

Several of the parcels are authorized previously based on the Pine Barrens Omnibus resolution. The parcel farthest to the south, the Fox lab property is in the CGA adjacent, immediately adjacent to the core preservation boundary I believe. And so I --

CHAIRMAN BISHOP:

The CGA is?

MR. TURNER:

I'm sorry, the compatible growth area pursuant to the '93 Pine Barrens Preservation Act.

LEG. CARACCILOLO:

I see The Nature Conservancy logo on the front cover of this presentation, and the presentation looks, you know, pretty complete. Would The Nature Conservancy be the agent, they would be receiving a commission?

COMMISSIONER ISLES:

Yes, they've acted as our agent in this case.

LEG. CARACCILOLO:

Okay. Now, I know the last time you and I spoke about both the Peconic Land Trust and The Nature Conservancy, you were in the process of reworking the fee schedule;le has that been done?

COMMISSIONER ISLES:

No, that's still in the process.

LEG. CARACCILOLO:

Okay. So under the existing fee schedule, what would be the percentage that The Nature Conservancy would receive? Again, we're talking about a multi million dollar acquisition here.

COMMISSIONER ISLES:

Right. The current fee schedule would permit a 2% fee for their

services. The proposed contract would involve --

LEG. CARACCILOLO:

Be on a scale, right? Well, at one point you were talking about a scale.

COMMISSIONER ISLES:

Well, to be more specific then, the -- right now it's a flat fee of 2% for The Nature Conservancy. What has been suggested and we've discussed it and The Nature Conservancy has agreed is to have a

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sliding scale so that the higher the acquisition the lower fee. What would happen then is for acquisitions I think up to \$500,000 the fee would be 3%, from 500 to a million it would be 2% and everything above a million would be 1%.

LEG. CARACCILOLO:

Okay. And in reality we really wouldn't need The Nature Conservancy for something under a half of million dollars, it's something that in-house we could accomplish.

COMMISSIONER ISLES:

There may be something in the Pine Barrens small lots, but they're more involved, as you can see on the larger more complex transactions.

LEG. CARACCILOLO:

Okay. I just want that, you know, known this way no one says later on, "How did The Nature Conservancy make X amount of dollars on this transaction?" And I imagine they are involved in this because of the size, the scope and the expertise they bring to making something like this presented; am I right about that?

COMMISSIONER ISLES:

Absolutely, and they've done a good job and we're pleased with them.

LEG. CARACCILOLO:

I've been critical, John, but I give you credit when you deserve it.

MR. TURNER:

I think you've been very fair.

LEG. CARACCILOLO:

Thanks, John.

CHAIRMAN BISHOP:

Motion to approve by Legislator Caracciolo, second by Legislator Bishop. All in favor? Opposed? It's approved (VOTE: 5-0-0-0).

MR. TURNER:

Thank you, I appreciate your support.

CHAIRMAN BISHOP:

Okay. 1908-02 (P) - Accepting and appropriating 100% State grant funds from the New York State Department of Health to the Suffolk County Department of Health Services for a Beach Monitoring and Notification Program (County Executive). Motion by myself, second by Legislator Crecca. All in favor? Opposed? Approved (VOTE: 5-0-0-0).

Sense 62-2002 - Memorializing Resolution requesting the Federal Government to establish National Wildlife Refuge System Centennial Visitor Center at Wertheim National Wildlife Refuge (Towle).

LEG. CRECCA:

Sounds like a good plan to me.

CHAIRMAN BISHOP:

So in addition to our interpretive center, we're going to have a –

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why can't we combine the two? Motion to approve I assume by Legislator Caracciolo, second by --

LEG. CARACCILOLO:

No.

CHAIRMAN BISHOP:

No, no motion to approve. Motion to table by Legislator Caracciolo because I don't have the votes -- now I have the votes. Motion to approve by Legislator Crecca, second by Legislator Fields, a Sense Resolution for a visitor center at Wertheim. All in favor?

LEG. CARACCILOLO:

Oh yes, I just read it.

LEG. FIELDS:

Motion to table.

CHAIRMAN BISHOP:

Motion to table by Legislator Fields, second by myself. All in favor of tabling? Opposed?

LEG. CRECCA:

Opposed to tabling.

LEG. CARACCILOLO:

Opposed to tabling.

CHAIRMAN BISHOP:

Okay, 2-2 (Not Present: Legislator Cooper). Motion to approve by Legislator who? Caracciolo, second by Legislator Crecca. All in favor? Opposed?

LEG. FIELDS:

Opposed.

CHAIRMAN BISHOP:

I'll oppose as well. It fails, 2-2 (Not Present: Legislator Cooper).

See change in vote on page 134

Tabled Prime Resolutions

1149-02 (P) - Implementing Greenways Protection in --

LEG. CRECCA:

Motion to table subject to call.

CHAIRMAN BISHOP:

1149, motion to table subject --

LEG. CRECCA:

No, on 62, I can make that motion.

CHAIRMAN BISHOP:

Motion to table, oh, on 62. The vote's been called already,

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unfortunately. So 1149 is Implementing Greenways program in connection with the development rights at Yaphank. Motion to table by myself.

LEG. CARACCILOLO:

Motion to reconsider Sense 62.

CHAIRMAN BISHOP:

Motion to reconsider Sense 62 --

LEG. CRECCA:

Second by myself.

CHAIRMAN BISHOP:

-- by Legislator Caracciolo who was not on the prevailing side.

LEG. CARACCILOLO:

Why doesn't the Chair make the motion to reconsider?

CHAIRMAN BISHOP:

Defeat, defeat is the prevailing side. For what purpose?

LEG. CRECCA:

It's ridiculous, it's a good bill.

CHAIRMAN BISHOP:

All right. Motion to reconsider Sense 62 by myself, second by

Legislator Caracciolo. All in favor? Opposed? It's now before us. Motion to table subject to call by myself, second by Legislator Fields. All in favor? Opposed? Sense 62 is tabled subject to call (VOTE: 5-0-0-0), which is a step up from defeat I suppose.

1149-02 (P) - Implementing Greenways Protection in connection with acquisition of Farmland Development Rights at Yaphank (Town of Brookhaven) (Towle). Motion to table by myself, second by Legislator Caracciolo. All in favor?

LEG. CARACCIOLO:

Does that require a Town Board resolution? We're looking, is that it?

COMMISSIONER ISLES:

We haven't done the acquisition yet which is the first thing, then second would be infrastructure if that's going to be approved. I don't believe it requires a resolution from the town.

UNKNOWN SPEAKER:

(Inaudible).

COMMISSIONER ISLES:

Oh, okay, I'm sorry.

LEG. FIELDS:

Why wouldn't this be planning steps?

COMMISSIONER ISLES:

Oh, this is 1149, sir? Yeah, this is the farm on Yaphank Avenue, it needs a town reso, I'm sorry. I'm going a little brain dead here.

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CHAIRMAN BISHOP:

Tabling stands. (VOTE: 5-0-0-0).

1412-02 (P) - Adopting Local Law No. 2002, a Charter Law adding Article XXXVII to the Suffolk County Charter to provide a Suffolk County Save Open Space (SOS) Fund (Fisher).

LEG. FIELDS:

Motion to approve.

CHAIRMAN BISHOP:

Motion to approve by Legislator Fields. Is there a second?

LEG. CRECCA:

Motion to table.

CHAIRMAN BISHOP:

Motion to table by Legislator Crecca. Is there a second?

LEG. CARACCILO:
Second.

CHAIRMAN BISHOP:
Second by Legislator Caracciolo. All in favor? Opposed?

LEG. FIELDS:
Opposed.

CHAIRMAN BISHOP:
Opposed, Legislator Fields. Tabled (VOTE: 3-1-0-1 Opposed: Legislator Fields - Not Present: Legislator Cooper)

1419-02 - (P) - Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land known as Bluepoints Company Property-Underwater Lands, Town of Brookhaven) (Fields).

LEG. FIELDS:
Motion to table one more time.

CHAIRMAN BISHOP:
Motion to table by Legislator Fields, second by myself.
1419 is tabled (VOTE: 4-0-0-1 Not Present: Legislator Cooper).

1540-02 - (P) - Authorizing planning steps for the acquisition of land under pay-as-you-go 1/4% Taxpayer Protection Program (Land of Ronkonkoma Cenacle, Town of Brookhaven) (Caracappa). Did anything happen with this in the interim period?

LEG. FIELDS:
Motion to table.

CHAIRMAN BISHOP:
Motion to table by Legislator Fields, second by Legislator Caracciolo.
All in favor? Opposed?

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LEG. CRECCA:
Opposed.

CHAIRMAN BISHOP:
Tabled (VOTE: 3-1-0-1 Opposed: Legislator Crecca - Not Present: Legislator Cooper).

1571-02 - (P) - Implementing pay-as-you-go 1/4% Taxpayer Protection Plan for Water Quality Protection and Restoration Program for Champlin Creek, Town of Islip) (Alden). Did it get its SEQRA? It was tabled last time.

LEG. CRECCA:

Is that what the problem is, you need a SEQRA?

COMMISSIONER ISLES:

This is the -- this was approved by -- this is the water quality, the lava rocks?

LEG. CRECCA:

Motion to approve.

COMMISSIONER ISLES:

It was approved by CEQ in July actually, yeah, that's right.

CHAIRMAN BISHOP:

That's what we were waiting on last time. Motion by Legislator Bishop, second by Legislator Fields. All in favor? Opposed?

LEG. FIELDS:

I don't want to second.

CHAIRMAN BISHOP:

You don't want to touch the rocks; the lava rocks are too hot. Motion by Legislator Bishop, second by Legislator Crecca. All in favor? Opposed? 1471 is approved (VOTE: 4-0-0-1 Not Present: Legislator Cooper). It's a good program, we hope.

And we did 1694, so I have a motion to adjourn, second by Legislator --

MS. MAHONEY:

You still have Tabled CEQ Resolutions.

CHAIRMAN BISHOP:

Hold on.

LEG. CRECCA:

I'll make a motion to approve 31-02, Mr. Chairman.

CHAIRMAN BISHOP:

Thank you. CEQ 31-02 - Proposed Vector Control and Wetlands Management Long-Term Plan County-Wide (Type I Action/Positive Declaration). Motion by Legislator Crecca, second by -- anybody seconding that?

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LEG. CARACCILOLO:

Opposed.

CHAIRMAN BISHOP:

Okay, motion to table by myself, second by Legislator Caracciolo. 31-02 is tabled again.

LEG. CRECCA:

I'm opposed to tabling.

CHAIRMAN BISHOP:

Tabled (VOTE: 3-1-0-1 Opposed: Legislator Crecca - Not Present: Legislator Cooper). He'll be here next time anyway. Anything else?

MR. MINEI:

Wasn't that approved, 31 approved in the full Legislature?

CHAIRMAN BISHOP:

Yeah, I think it was.

MR. MINEI:

The positive dec was approved.

CHAIRMAN BISHOP:

So then this should be withdrawn.

LEG. CRECCA:

It should be off the agenda.

CHAIRMAN BISHOP:

Is that it? Anything else? No? Thank you very much, Alison. Congratulations, you made it. Motion to adjourn. We stand adjourned.

(*THE MEETING WAS ADJOURNED AT 6:55 P.M.*)

Legislator David Bishop, Chairman
Environment, Land Acquisition & Planning Committee

{ } - Denotes Spelled Phonetically